

34

161

orders/directions

फाइल सं०
File No. I/12/14/13/272-15(D-II)

खण्ड
Volume I (Hem)

भारत सरकार
GOVERNMENT OF INDIA
गृह मंत्रालय
MINISTRY OF HOME AFFAIRS

अनुभाग
Section
टिप्पणियां/पत्राचार
NOTES/CORRESPONDENCE

को सूचीकृत की गई

Indexed on
आस्थाक्षर
Initials
अभिलेख क/ख
Record A/B

अभिलेख ग में नष्ट गए
Record C Destroyed in

नोट किया जाए अनुभागीया नोट बुक
नोट न किया जाए

To be noted In Sectional Note Book
Not to be noted

अनु० अ०/अधीक्षक के हस्ताक्षर
Initials of S.O./Supdt.

लिपिक के हस्ताक्षर
Initials of Clerk

विषय
SUBJECT
*Orders/directions issued by Justice
Mukherjee Commission of Inquiry -
Complained thereof by. MHA etc.*

*Noting - 29
Ceres. - 399
16/12/15*

पिछले हवाले
Previous References

बाद के हवाले
Later References

2

MINISTRY OF HOME AFFAIRS
(IS-I DIVISION)

* * *

Subject : Production of files/documents before Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose.

* * *

An affidavit was filed by this Ministry on 20.6.2000 before Justice Mukherjee Commission of Inquiry stating therein inter alia that this Ministry has the following two files relating to Netaji Subhas Chandra Bose/INA :-

- (i) Award of Bharat Ratna posthumously on Netaji Subhas Chandra Bose; and
- (ii) Bringing ashes of Netaji Subhas Chandra Bose from Japan to India.

It was further stated that the contents of both the file have no direct relevance with the terms of reference of the Commission. However, the Commission in its hearing on 31.8.2000 directed that both these files may be produced before the Commission.

2. As regards Award of Bharat Ratna posthumously on Netaji Subhas Chandra Bose, the file relates to Public Section under Administration Division and a reference has already been made to Deputy Secretary (A&Vig.) to examine the contents of the file and let us have their views/comments regarding production of this file before the Commission.

3. As regards the file relating to ashes of Netaji Subhas Chandra Bose (File No. I/12014/27/93-IS(D.III), a perusal thereof reveals that it contains papers such as proposal to bring ashes of Netaji Subhas Chandra Bose to India from Japan by way of a CCPA Note dated 10.1.1991; decision of the CCPA that no purpose would be served by holding another inquiry into the death of Netaji or by bringing back his ashes to India; a series of articles, based on classified KGB Archives, alleging that Netaji was an MI-6 agent and one of his close aides was a KGB agent, published in Moscow in the bi-monthly magazine "Asia and Africa Today" etc.

4. The first Article by A. Raikov, a well known Indologist, is an account of how the ill-fated Japanese twin engine fighter plane carrying 11 passengers on board including Netaji and his aide crashed immediately after take off from the Matsuyana Air Force base in Taiwan on 18.8.1945. It gives a brief background on Netaji's activities between 1941 and 1944 as contained in a book entitled "Jumping Tiger" - by a Serving Officer H. Toya which is the record of findings of a thorough research on Netaji's activities during the period. The Article deals with the controversy that surrounded Netaji's death necessitating thorough/official investigation by the Shah Nawaz Committee and the rumours that persisted inspite of their common findings that he had indeed died in the plane crash in Taihoku (Taiwan). The most popular rumour that Netaji was staying in the USSR seems to have provoked the author into

From pre-page :

seeking access to classified KGB documents in the Russian Archives. In the opinion of the author, the conclusions drawn by various investigations, including those by the two special groups of officers from the British Intelligence Service that were despatched to Taiwan and Saigon to verify facts about his death (on the basis of whose reports the arrest warrant of Netaji was revoked) are not open to question. Netaji did die in the air crash of August 18, 1945.

5. In the second Article, the author has quoted one more document available in the KGB Archives, a 'certificate' which mentions "after the Japanese capitulation in the first half of September 1944, TASS, quoting British sources, informed from Tokyo that Subhas Chandra Bose staying in Japan died." After this the KGB closed Bose's case. This has been taken as a conclusive proof of Netaji's death in 1945. The second Article, in two issues, is mainly intended to show that Netaji cooperated with the British Secret Service MI-6 and was a British plant in the heart of the Axis powers. There is reportedly no separate file on Netaji in the KGB Archives. The entire findings are based on Soviet intelligence reports from Afghanistan and other places and circumstantial evidence.


6. It has further been stated that Ministry of External Affairs had knowledge of the impending Articles and their contents as early as June, 1993. In fact, the Indian Counsellor, Ajay Malhotra, had met Mr. V. Touradjev, the author and the Deputy Chief Editor of 'Asia and Africa Today' well before the Articles were published. Sincere and serious diplomatic efforts could perhaps have been made by our Mission in Moscow in forestalling publication of these articles. In his report to the Ambassador, Shri Malhotra mentions that he did not specifically urge Touradjev to have the article withdrawn since it was evident that he would not do so in any case.

It appears that the contents of these articles have not yet reached the Indian Media. That the likelihood of their being replayed in India in the near future cannot be ruled out. This may generate a new controversy. According to IB, publication of the Article alleging links of Netaji and his associates with MI-6 and KGB will evoke widespread reactions and could cause discomfiture to the Government. People would consider it to be a sinister design to tarnish the image of Netaji. Demands may also be raised from some quarters to have the allegation of Netaji having been an MI-6 agent verified from British sources. One of the Articles alludes to the necessity of referring to classified documents of the British Secret Service to ascertain the veracity of the author's conclusion. In any case, the Government agencies and media in India will have to be prepared in advance to convincingly rebut these allegations.

7. In view of the contents and the papers available in this file, as detailed above, it would not be, in the public interest; sovereignty and integrity of India as also friendly relations with foreign countries particularly erstwhile Soviet Union, to disclose the contents of this file to Justice Mukherjee Commission of Inquiry. We may perhaps claim privilege from production of this file before the Commission.

from pre-page 1.

8. Approval of HS for claiming privilege may kindly be solicited. Extracts of Sections 123 & 124 from the Indian Evidence Act, 1872 about the privilege claim may be seen at Flag 'A'.


(V.P. BHATIA)
Under Secretary (D.IV)
7.11.2000

JS(IS-I)

The file pertains to a decision to be taken by this Ministry regarding production of two files before the Justice Mukherjee Commission of Inquiry as per its direction on 31.08.2000. These two files pertain to the award of Bharat Ratna posthumously on Netaji Subash Chandra Bose and Bringing the ashes of Netaji from Japan to India.

2. Administration Division is processing the view with regard to the file pertaining to award of Bharat Ratna. IS-I Division is concerned with the files pertaining to bringing back of the ashes. These four files are placed below for kind perusal. It is proposed to claim privilege under Section 123 of the Indian Evidence Act, 1872, a copy of which may be seen at Flag 'A'. Similar privilege had been claimed by MHA with regard to certain documents before the Justice Jain Commission of Inquiry. A copy of the affidavit claiming privilege is placed at Flag 'B'.

3. The grounds for seeking privilege with regard to these files are as follows :

- (i) The file No. I/12014/27/93-IS D.III(Vol. I&II) contains draft notes prepared for the Cabinet pertaining to allegations that Netaji was an MI-6 agent, which found mention in Articles published in Moscow in the bi-monthly magazine "Asia and Africa Today". These articles are alleged to have been based on classified KBG archives. We have already taken a decision on another file that this Cabinet Note should not be declassified, based on a reference sent to us by PMO. HS had seen that file.
- (ii) Some of the articles, which appeared in "Asia and Africa Today", are also available at pages 34-45/c as well as 49-74/c. A conscious decision had been taken to play down the publicity of these articles based on the views of MEA, IB and R&AW, as brought out in the note sent by then Home Secretary to then Principal Secretary to PM dated 20.04.1994 (page 100/c). This document too is not proposed to be declassified as already approved by HS earlier.

- (iii) The views of R&AW and IB are also available on the file at pages 6-8/c. It may not be appropriate to bring these documents before the public. Internal correspondence of MHA with MEA and R&AW is also available.
- (iv) Minutes of the COS meeting dated 20th July, 1994, sent by Shri P.P. Prabhu, then Additional Secretary, Cabinet Secretariat at page 122-123/c may please be seen. In order to give "as little publicity as possible" to the entire issue, it was not felt necessary to even place the matter before the Cabinet.
- (v) Letter at page 193/c from Home Secretary to Foreign Secretary wherein it was mentioned that dependability of arrangements for keeping the ashes in Japan should be properly examined and a contingency plan for proper upkeep of mortal remains of Netaji should be drawn up. There is also a letter from Home Minister to the Prime Minister, a copy of which is at page 207-208/c as well as a letter from Foreign Secretary to Home Secretary at pages 210-214/c, which may, if revealed, cause some embarrassment in our relations with Japan.
- (vi) At page 237/c there is a reference to a DNA analysis of the mortal remains.

4. In view of the above, it may not be appropriate to allow the material on these files to be used as evidence. However, we may have no objection to these files being produced for perusal by Hon'ble Chairman of the Commission for considering the bonafides and authenticity of the plea for claiming privilege. This is on the line taken by the then Home Secretary before the Jain Commisison. If approved, an affidavit as at Flag 'D' will be got vetted by the Law Ministry for signatures of HS.

Sangita Gairola

(SANGITA GAIROLA)
JOINT SECRETARY (IS-I)
07.11.2000

The file relating to the award of Bharat Ratna is being put up separately. Later a common affidavit will be submitted.

SS (ISP) *There is no affidavit on file.*

87 x 11 m

*T-163/SS(ISP) 2m
7/11*

*T-471/HS/2m
8/11/2m*

*Discussed with
H.S. Pl. prepare
affidavit.
US(DO) 10.11.*

Reference notes from page 1/ante.

2. This is regarding production of the following files pertaining to this Ministry before Justice Mukherjee Commission of Inquiry in compliance of their directions as passed in the Commission's proceedings held on 31.8.2000 at Calcutta :-

- (i) Bringing the ashes of Netaji kept in Renkoji Temple in Tokyo in Japan to India; and
- (ii) Posthumous announcement of award of 'Bharat Ratna' to Netaji.

3. On proper scrutiny of the contents of this file, a conscious decision has been taken to claim privilege against making the same public by producing them before the Commission. In this connection, specific attention is invited to JS(IS-I)'s note dated 7.11.2000 (pages 3-4/ante) and JS(UT/A&PG)'s note dated 8.11.2000 placed at Flag 'C'. As per the provisions of Sections 123 & 124 of the Indian Evidence Act, the privilege can be claimed by the Head of the Department only. Accordingly, in the instant case, the privilege is to be claimed by Home Secretary being the Head of the Department of the Ministry of Home Affairs.

4. In this connection, attention is also invited to the two affidavits placed at Flags 'B & 'D' respectively wherein privilege was claimed by the then Home Secretary in the matter of producing some classified records before Justice Jain Commission of Inquiry which inquired into the assassination of Rajiv Gandhi, the former Prime Minister of India and before the Calcutta High Court about posthumous award of Bharat Ratna to Netaji. On the lines of these affidavits, a draft affidavit claiming privilege about the files in question which have been directed to be produced before Justice Mukherjee Commission of Inquiry, which is inquiring into the alleged disappearance of Netaji Subhas Chandra Bose, has been attempted and is put up for vetting by the Ministry of Law & Justice before the same is submitted to HS for his signature.

V.P. Bhatia
(V.P. BHATIA)
Under Secretary (D.IV)
10.11.2000

Sanjita Gargola
10.11.2000

Joint Secretary (Shri B.A. Agrawal),
Ministry of Law, Justice & Co. Affairs,
Department of Legal Affairs.

Ministry of Law, Justice & Co. Affairs
Department of Legal Affairs
Advice Section
Dy. No. 4078/2000
Date 10/11/2000

10/11
DLA (Sh. A. Aziz)

Deptt. of Legal Affairs

Seen the draft affidavit on behalf of Home Secretary proposed to be filed before the Hon'ble Justice Mukherjee Commission of Inquiry at Calcutta. It is proposed to claim privilege under Sections 123 and 129 of the Evidence Act &/or article 74(2) of the Constitution in respect of files detailed in para 1 of the draft affidavit on the grounds mentioned in paras 4 to 6 thereof.

The draft affidavit is based on the satisfaction of Home Secretary and seems to be formally in order.

[Signature]
10/11/2000
(ABDUL AZIZ)
DLA

JS (-15-1) (Cont. Sanjivita Gauraha)

M/o Home Affairs
विधि कार्य विभाग
Deptt. of Legal Affairs
डा. ५० अन्तर्गत 'क' अनुभाग
40 No 4098/2000 'A' Section 10/11/2000

Pl. fair and submit for signature of H.S.

Sanjivita Gauraha
10.11.2000

US(DIV)

Reference notes on pages 3-4/n ante.

2. This is regarding claiming of privilege against production before Justice Mukherjee Commission of Inquiry of the following files of MHA:-

- (i) Bringing of ashes of Netaji from Renkoji Temple (Tokyo) in Japan; and
- (ii) Posthumous award of 'Bharat Ratna' to Netaji.


3. The file at para 2(i) above pertains to IS-I Division about which Home Secretary has already approved the privilege claim vide notes on page 3-4/n ante.

4. The file at para 2(ii) above pertains to Administration Division (Public Section) about which too Home Secretary has approved similar claim vide relevant extract of notes on slip 'C'.

5. The necessary Affidavit in such matters are filed by the Secretary of the Ministry/Department, being the Head of the Department. As such a draft Affidavit was attempted on the lines of the Affidavit (placed at slip 'D') filed by Shri N.N. Vohra, Former Home Secretary before the Calcutta High Court in the matter of posthumous award of 'Bharat Ratna' to Netaji.

6. A draft Affidavit has been accordingly attempted and the same was shown to the Law Ministry for vetting. That Ministry vide notes on page-6/n ante, have vetted the same. The said Affidavit has since been faired and is submitted for signature by Home Secretary. After Home Secretary has signed, the same will be got attested by a Notary before being filed before the Commission. The Affidavit is to be filed on or before 15.11.2000.

Submitted please.


(V.P. BHATIA)
US(D.IV)
13.11.2000

~~JS(IS-I)~~

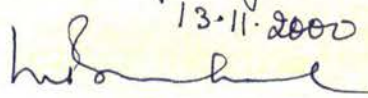
~~SS(ISP)~~

~~H.S.~~

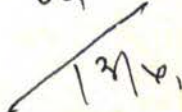
*Affidavit for approval and signatures
of H.S. is placed alongside.*


Langita Gaviola

13.11.2000


13/11/00




13/11/00


13.11.2000

US(DIV)

Justice Mukherjee Commission of Inquiry in its sitting held on 28.9.2000 directed vide para 3(b)(iii) of its proceedings that Ministry of Home Affairs should produce before it (i) a xerox copy of the letter said to be sent by General Chiank-Kai-Sheik to Pandit Jawahar Lal Nehru about an Inquiry reportedly made by the Government of Nationalist China at Taipei regarding the alleged plane-crash involving Netaji alongwith a xerox copy of said Inquiry Report and (ii) a xerox copy of the Report dated 31.12.1945 of Shri B.C. Chakraborty (witness No. 168 before Justice Khosla Commission of Inquiry) on alleged air-crash, and alleged death of Netaji Subhas Chandra Bose which was countersigned by Col. Stevenson and sent to the Combined Services Detailed Intelligence Centre (CSDIC) as referred to in the published report of the Commission.

2. The position with regard to the availability of the above-said letter/reports has been checked up with reference to the records available in this Ministry. However, these are not available in the Ministry of Home Affairs. Their availability has also been checked up with the National Archives, Prime Minister's Office, Ministry of External Affairs and Nehru Memorial Museum and Library. According to the information received from them, the letter/reports desired by the Commission are not available with them either.

3. In the affidavit filed by Shri A.K. Paitandy, Director (IS-I) in the Ministry of Home Affairs on 20.6.2000, it was stated that this Ministry is filing this affidavit on behalf of inter alia the Cabinet Secretariat and Intelligence Bureau and it was also affirmed and stated therein that there are reportedly no files/papers concerning Netaji/INA in their possession. However, subsequently, Cabinet Secretariat informed this Ministry that they have a few files/documents and since most of them had originated from Ministry of Home Affairs, Ministry of Home Affairs should file an affidavit for clarifying the position. We are also similarly required to file an affidavit on behalf of Intelligence Bureau who have now stated that all the records relating to the subject were carefully checked again and it was found that no material is available with the Intelligence Bureau which has a bearing on the alleged disappearance of Netaji/INA in addition to what was given to the Shah Nawaz Inquiry Committee.

4. Based on the position as brought out in the preceding paragraphs, a draft affidavit has been attempted which may kindly be seen for approval. It may be stated that this affidavit is required to be filed before Justice Mukherjee Commission of Inquiry latest by 31.1.2001.

Submitted

P.B. Shaw
29.1.2001
(V.P. BHATIA)
Under Secretary (D.IV)
29.1.2001.

JS (IS-I)

may pl. approve.

Sanjita Gauria
30.1.2001

SS (ISP)

This was discussed with SS (ISP) today. He

has asked us to confirm from our Record Room that no further material pertaining to Khosla Commission proceedings is available in MHA/Archives, before we finalise the affidavit. Pl. do the needful in m. Also check with IB and get their views on declassification of the papers sent by them quickly. *Sanjita Javola*
we have already sought more time from the Commission today. 30.1.2001.

US(DIV)

Reference above note.

2. Fair note to MHA record room as also to National Archives as dictated may issue.

V.P. Bhatia
(V.P. BHATIA)
US(D.IV)

Reference notes from pre-page.

2. The matter was taken up about the material pertaining to Khosla Commission's proceedings with Deputy Secretary(Cash), MHA and the National Archives on 5th February, 2001. Besides, a note was also sent on 8th February, 2001 to Director(History Division), Ministry of Defence inquiring about the availability or otherwise of xerox copy of the letter said to be sent by General Chiang-Kai-Shek to Pandit Jawahar Lal Nehru about an inquiry reportedly made by the Government of Nationalist China at Taipei regarding the alleged plane-crash involving Netaji alongwith a xerox copy of the said Inquiry Report and a xerox copy of the Report dated 31.12.1945 of Shri B.C. Chakraborty (witness No.168 before Justice Khosla Commission of Inquiry) on alleged air-crash and alleged death of Netaji Subhas Chandra Bose which was countersigned by Col. Stevenson and sent to the CSDIC as referred to in the published report of the Commission.

3. A reply has been received from the Record Room of the Ministry of Home Affairs and the National Archives that no such proceedings are available with them.

4. The position about the availability of the letter sent by General Chiang-Kai-Shek to Pandit Jawahar Lal Nehru and Report dated 31.12.1945 of Shri B.C. Chakraborty, no formal reply has so far been received from Ministry of Defence. However, on a telephonic conversation, Shri G.B. Singh, Director(History Division), MOD informed that whatever

✓ se. m. 15

x se. m. 16

✓ se. m. 19
✓ se. m. 20

✓ since recd.
se. m. 21

files were available with MOD have already been transferred to the National Archives and as such the position may be checked up from National Archives. National Archives of India with whom the matter was taken up has already informed that the two references are not available in their Record Division either in the Foreign/Ministry of External Affairs, MHA or Cabinet Secretariat records available with them.

v se. no. 4

a se. no. 17

5. As regards the papers made available by Intelligence Bureau to Shah Nawaz Khan Committee in 1956 and their declassification for submission to Justice Mukherjee Commission, Intelligence Bureau has stated in their DO letter dated 2.2.2001 that they have nothing relevant in connection with the subject except the papers given to the Netaji Inquiry Committee headed by Shah Nawaz Khan Committee in 1956. It has further been stated by IB that this too is in the form of micro film, a transcribed copy of which has already been sent to MHA. It has further been stated by IB that they have no objection if these papers are given to the Justice Mukherjee Commission of Inquiry if it is so desired by the Commission and that they have no objection if these papers are declassified.

6. Based on the position as brought out in the preceding paragraphs, draft affidavit already on the file has been suitably modified and the same is placed below for consideration/approval. In this connection, it may be stated that this affidavit was earlier required to be filed before the Commission on or before 31.1.2001 but on our request for extension of time to file this affidavit, the Commission has granted time upto 28.2.2001.

PBhatia
(V.P. BHATIA)
UD(D.IV)
15.2.2001.

JS(IS-I)

May pl. approve draft affidavit.

Sanjita Gaviola
20/2/2001

Pl. discuss on 22.2.2001 (Page 6 file draft affidavit).

SS(ISA)

[JS/IS]

Discussed. Approved.

JS/IS

Pl. fair and get it vetted by Law Ministry. 22.2.01 US(DI)

hnd
22/2

F-565/SS(ISA) 22/2

Ref. prepage :-

Discussed with J.S. (ISI) & Min. of Law may kindly see the Draft affidavit before it is filed before the Commission.

As it has to be filed in Kolkata before 28.2.2001, it is requested that the needful may kindly be done on Top Priority basis i.e. to-day itself.

B.R. Banerjee
23/2/2001

Sh. Abdul Aziz,
Dy. Legal Adviser, Min of Law

विधि और न्याय मंत्रालय
Ministry of Law & Justice
(विधि कार्य विभाग)
(Deptt. of Legal Affairs)
सहायकार 'क' अनुभाग
Advice 'A' Section

749/2001
23/2/2001
Dy. Legal Adviser, Min of Law

23/2/2001
Sh. A Aziz
DLA

Perused the draft affidavit proposed to be filed before the honble Justice Mukherjee Commission of Inquiry at Calcutta in compliance of directions given in its proceedings held on 28.9.2000. It contains only factual position. Minutes of the proceedings are not available on file. It is presumed that the statement made in the draft affidavit is strictly in accordance with the direction given by the Commission. The draft affidavit, otherwise, seems to be formally in order.

Dr.
23/2/2001
(ABDUL AZIZ)
DLA

ENCL. M/o Home Affairs

विधि और न्याय मंत्रालय
Deptt. of Legal Affairs

749/2001 26/2/2001

Ref. page :

The affidavit is placed below for signatures of JS (IS-I).

96/DS (IS-I)/2001
28/2

DS (IS-I)

JS (IS-I)

Time bound

18/2

26/2/2001.

J.R. Sharma

26/2/2001.

1. Pl. see F.R. on linked file. A copy of this affidavit may be sent to Shri Rakesh Sarwal ~~DS~~ Cab. Sectt / or U.S. Concerned Today, indicating that it has to be filed on or before 28.2.01.
2. By tomorrow forenoon, the attested affidavit must be sent to Secy, JMCI both by FAX and by Courier.

[Signature]

26.2.01.

DS (IS-I)

US (DS)

Depute Manoj to personally hand over the draft affidavit to Sh. Rakesh Sarwal DS / Concerned US. Once we receive the vetted affidavit from Cab Sec. action as instructed at 2 above to be taken.

[Signature]

26/2/01.

Ref. above :

@ FA.

The communication received from the Cabinet Sectt. has been gone through. The position mentioned therein is factually not in order because the Commission vide para (v) of their proceedings had desired all the other documents/files/records pertaining to Netaji / INA.

from page :-

The pps/files as subsequently became available in the Cabinet Sectt. after filing of the earlier affidavit, are being mentioned in the latest affidavit.

Hence, the matter was discussed over RAX with D.S. concerned in the Cabinet Sectt. and position clarified to him w.r.t. proceedings. The affidavit does not require any change and we may file the same.

J.S. (IS-I) may please see.

S.K. Sinha

27/2/2001

D.S. (IS-I)

[Signature]
27/2/2001

J.S. (IS-I)

May also pl. approve.
Sanjita Jaisola
27.2.01.

SS (IS-I)

This was subsequently discussed with Dir. Cab. Sectt, Sh. Sarwal who agreed to the modification.

[Signature]
27.2.01

Discussed. Para 3 modified & fair signed by JS (IS-I).

[Signature]
27/2

Reference notes on pages 1-7/ante.

2. With the approval of HS, an affidavit was filed before Justice Mukherjee Commission of Inquiry to claim privilege against production of the following files :-

- (i) Bringing of ashes of Netaji from Renkoji Temple (Tokyo) in Japan; and
- (ii) Posthumous award of 'Bharat Ratna' to Netaji.

PR. The required affidavit may kindly be seen at Slip 'A'. This affidavit was considered in the hearing of the Commission on 17.1.2001 and the Hon'ble Chairman passed an order on 25.1.2001 directing therein that a supplementary affidavit may be filed within one month of the communication of the order (the order was received in this Ministry on 12.2.2001 by spl. messenger) specifying the documents in respect of which privilege was being claimed. He observed that these files not only contain official notes and correspondences between the Ministry of Home Affairs, Prime Minister's Office and other Ministries but also records of Parliamentary proceedings, newspaper cuttings, open letters sent by eminent citizens to the Ministry of Home Affairs and similar other documents. According to him, the latter class of documents cannot answer the description of 'secret' documents nor do they assume such a character simply by their inclusion in files marked 'Top Secret'. In view of this position, a supplementary affidavit is now required to be filed before the 14th March, 2001.

3. We have now glanced through the files received back from the Commission and after perusal of the contents thereof identified documents on which privilege needs to be claimed. It has been observed that certain documents amongst the identified documents pertain to Prime Minister's Office, Ministry of External Affairs, Intelligence Bureau, Cabinet Secretariat (R&AW) and as such, we have to take an approval of these Ministries/offices as to whether these documents need to be retained as classified or can be de-classified and made available to the Commission. This process of consultation with PMO, MEA etc. is likely to take some time and as such, it would not perhaps be possible to file the supplementary affidavit before the 14th March, 2001. A request has, accordingly, to be made to the Commission to grant time by another month to enable us to file the supplementary affidavit. A draft letter addressed to Hon'ble Chairman, Justice Mukherjee Commission of Inquiry, is placed below for consideration of HS.

V.P. Bhatia
7.3.2001
(V.P. BHATIA)
Under Secretary (D.IV)
7.3.2001.

DS (IS-IR)

For perusal and approval of

JS (IS-IR)

7.3.2001.

I spoke to the Secretary of the Commission seeking some more time to file the supplementary affidavit,

since Home Secretary's supplementary affidavit is now supposed to mention specific documents along with reasons.

2. Placed at F/c is a list of the documents which we propose to annex to the affidavit. Many of these pertain to PMO, Cabinet Secretariat & MEA ~~sec~~. It is necessary to consult them as well, to rule out any contradictory stands that they may have taken in their own affidavits, with regard to the documents that originated from them.

3. Secretary to the Commission advised that H.S. may write to Hon'ble Chairman seeking some more time.
DFA is for kind approval.

~~SS (ISP)~~
~~H.S.~~

~~JS (15/1)~~

~~8/3~~

Sanjita Jaisola
8.3.01

~~8/8/01~~

~~F-72/59/15000~~
~~8/3~~

~~F-766/HS/2007~~
~~8/3~~

Fair letter signed
by H.S. placed.
May kindly arrange
to issue.
M. K. K.
9/3/01

Pl. have this sent by fax as well as
Speed Post.

Sanjita Jaisola
9.3.01

DS (18-1)

For NA.

US 2/1/

~~9/3/01~~

Sent for im
9/3

24.10.30(R)

S.No.31(R)

Secretary, Justice Mukherjee Commission of Inquiry vide his letter dated June 1, 2001 has written to Joint Secretary (IS-1) to send to the Commission immediately after due authentication the documents available with the Government of India out of the documents called by the Commission in terms of its Orders/directions contained in para 3(b)(iii) of its proceedings dated 28.9.2000. This was in the context of affidavit filed by Joint Secretary (IS-1) on 27.2.2001. It was stated in the affidavit that an extract from the report dated 31.12.1945 which was provided by Intelligence Bureau to the Shah Nawaz Khan Inquiry Committee can be provided to the Honble Commission.

We may now write to the Intelligence Bureau to send authenticated copy of the report dated 31.12.1945 after declassification thereof as agreed to by the Intelligence Bureau so that the same could be sent to the Commission. Fair I.D. Note as dictated may issue.

P. Bhatia
14/6

Under Secretary IS (D.IV)

14.06.2001

S. no. 32 (ISU)

Se. no. 33-34 (Recap)

With reference to Se. no. 33, we may write to DIRB as per draft no. placed below for consideration.

2. As for Se. no. 34, a small note has been attempted explaining the position which may kindly be sent to AS(H).

P. Bhatia
19.6.2001

DS (IS-2)
JS (IS-1)

18/6/2001

Sent for m
in
14/6

Srl. No.36(R)

Dy. Director IB has now sent an authenticated copy of the documents relating to the death of Netaji Subhash Chandra Bose which were handed over the Shri Shah Nawaz Khan, Chairman, Netaji Enquiry Committee in 1956.

2. A perusal of the letter dated 22-6-56 reveals in para 1 (e) that there were five photographs with letter dated 17-11-1945 from Lieut Col John Figgess. While the rest of the papers duly authenticated have been received with this reference, the five photographs have not been received.

3. We may write to the IB. Fair UO note as dictated may issue.

V.P. Bhatia
(V.P. Bhatia)
US(D.IV)
18-6-2001

S. No. 37 (Issue)

se. no. 38 (Receipt)

IB. has now sent the five photographs duly authenticated. We may now send the set of papers received earlier from IB along with these five photographs to JMC1.

Draft letter placed below on the file in for consideration please.

V.P. Bhatia
3.7.2001
US(DIV)

DS(15-1)

May like to see before issue.

JS(15-1)

DS(15-1)

h
3.7

3/7

Sl.No. 39 (R)

OSD, Justice Mukherjee Commission of Inquiry, vide his letter dated 19.6.2001, has sent Status Report as on June 11, 2001 showing action taken on/compliance with the orders/directions of the Commission for perusal and taking necessary action. In para 17 of the Status Report, a reference has been made to a letter dated 28.5.2001 and sent to this Ministry regarding the report captioned "Sleeping Bomb lies in Netaji Vault" authored by Shri Chandan Nandy and published in the Telegraph, Calcutta edition dated March 26, 2001 and has requested for a detailed report in the matter.

2. In this connection, it may be stated that we have already replied a Parliament Question on the same subject. Based on the reply given in response to the Parliament Question, we may send a compliance report to the Commission as per fair letter placed below which will issue after the same has been seen and approved by DS(IS-I).

Submitted

[Signature]
12/7/01
(V.P. BHATIA)
Under Secretary (D.IV)
12.7.2001

DS(IS-I)

May pl. see before issue.

JS(15-1)
[Signature]

[Signature]
12/7

[Signature]
12.7

US(DIV)

Sl. no. 40-44 (Issue)

The status report sent by OSD, JMCI, as on 11th June, 2001 may kindly be seen at FR.

The various points concerning MHA have been attended to and necessary communications issued to all concerned.

2. A status Note has been prepared indicating the action points and the action taken. The same is placed below at Slip 'J'.

DS(15-1)
JS(15-1)
[Signature]

May pl. be issued as amended.
[Signature]

[Signature]
16.7.2001

[Signature]
16.7.01

11/2/JS(15-1)/01
16/7

4914/DS(15-1)/01
16/7

lm
17/7
To me

[Signature]

DS(15-1)

Justice Mukherjee Commission of Inquiry has sent Status Report as on October 9, 2001 showing action taken on/compliance with the orders/directions including those contained in the proceedings dated 13-6-2001 read with proceedings dated 23-3-2000 and subsequent hearings of the Commission.

2. Paras 2,5, 6,7,8 and 9 pertain to this Ministry. Accordingly, a Status Report on the Action Taken or indicating the latest position has been prepared and is placed below for consideration/approval before the same is sent to JMCI.

Submitted.

Bhatia
(V P Bhatia)
US(D.IV)
27-11-2001

DS(S-1)

May pl. approve

DS(S-1)

27/11

Reference above note.

2. OSD, Justice Mukherjee Commission of Inquiry, vide his letter dated November 9, 2001, has sent a copy of the Status Report as on October 9, 2001 showing action taken on/compliance with the orders/directions of the Commission including those contained in its various proceedings. He has also sent proceedings dated October 17, 2001 (Eleventh-D 3) to take necessary action in the matter and to ensure compliance with the directions of the Commission contained therein.

3. According to proceedings dated October 17, 2001, the Commission has passed various orders/directions followed by reminders seeking relevant information/records from various Ministries/Offices of the Government of India to enable the Commission to discharge its functions effectively and expeditiously. Unfortunately, the production of some of the records/documents which appear to be germane to the terms of reference are still awaited. The Commission has felt to impress upon the various Ministries/Offices concerned of the Government of India that unless the earlier orders/directions of the Commission are fully complied with within a definite time frame, it will be well nigh impossible for the Commission to satisfactorily complete its task and the Commission is left with no other alternative but to issue the following directions :-

- (a) By the next date of hearing, the Ministries of Home Affairs and External Affairs and the office of the Prime Minister shall file their responses to the statements made in the 'Status Report as on October 9, 2001' (except those contained in paragraphs 10 & 11) so far as they relate to their Ministries/Office, through affidavits filed by officers not below the rank of Joint Secretary; and

- (b) On the next date of hearing the officers swearing the affidavits must be present to answer any questions that may be raised relating to their statements made therein.

4. We have already prepared a Status Report indicating the action taken on the orders/directions contained in the Status Report as on October 9, 2001 and the same is placed below (DFA). Since now the Chairman has ordered that by the next date of hearing i.e. December 19 and 20, 2001, the Ministries of Home Affairs and External Affairs and PMO shall file their responses to the statements made in the Status Report as on October 9, 2001 so far as they relate to their Ministries/Office, through affidavits filed by officers not below the rank of Joint Secretary. It is for consideration whether the action taken statement prepared by us on the various points concerning this Ministry may be sent to the JMCI or the action taken report has to be filed by way of an affidavit as directed by the Chairman of the Commission.

Submitted

V.P. Bhatia
(V.P. BHATIA)
Under Secretary (D.IV)
28.11.2001

9941/DS(15-12)/01
29/11

DS(15-I)

Reference above.

1. Papers / documents which find place in the status report ^{under reference} of the Commission are being searched.
2. A committee has been set up to find out all files/documents pertaining to Netaji and which may be of some assistance to JMCI. The Committee has given list of files/documents / other material available in 'T' Branch, Secret Record Room, D-II Desk etc. The same are being examined with regard to their usefulness / requirement to the Commission.
3. Secondly, we may apprise of Commission of the records available in MHA (as per the lists given by the Committee). If any record out of these lists, is required by the Commission, the same could be provided.
4. Since the committee was specially set up to locate all the records

-21-

pertaining to Netaji and this Committee has given its report (in the linked file) we may give an affidavit to the Commission that MHA has no records relating to Netaji but for ^{the documents} mentioned in the annexures / lists. This may give a finality to this issue.

5. with regards to the observation of the Commission that directions of the Commissions are not complied with it is stated that we have been interacting with JMCI on regular basis and have been furnishing ^{information /} documents / files as per their requirement, of course subject to their availability in the Ministry. A close coordination is kept with ^{our} standing lawyers. As per their direction a vigorous search has been carried out to locate the papers / files / documents mentioned in the status report.

6. Actions taken by MHA have been mentioned in the status report placed at DFA.

7. Since chairman, JMCI has given directions to file status report in the form of an affidavit (at the level of JS) further directions / instructions are solicited.

JS(15-1)

29.11.01

This file shall now move only by hand and its progress shall be monitored on daily basis. Pl. take n.a as discussed today & put up again.

3.12.01

28(15-1)

1746/JS(15-1)
29.11

OSD, Justice Mukherjee Commission of Inquiry vide his letter dated November 9, 2001 has sent a copy of the Status Report as on October 9, 2001 showing action taken on/compliance of the orders/directions of the Commission including those contained in its various proceedings. He has also sent proceedings dated October 17, 2001 to take necessary action in the matter and to ensure compliance with the directions of the Commission contained therein.

2. According to proceedings dated October 17, 2001, the Commission has passed various orders/directions followed by reminders seeking relevant information/records from various Ministries/offices of the Government of India to enable the Commission to discharge its functions effectively and expeditiously. Unfortunately, the production of some of the records/documents which appear to be germane to the terms of reference are still awaited. The Commission has felt to impress upon the various Ministries/Offices concerned of the Government of India that unless the earlier orders/directions of the Commission are fully complied with within a definite time frame, it will be well nigh impossible for the Commission to satisfactorily complete its task and the Commission is left with no other alternative but to issue the following directions: -

- (a) By the next date of hearing, the Ministries of Home Affairs and External Affairs and the office of the Prime Minister shall file their responses to the statements made in the 'Status Report as on October 9, 2001' (except those contained in paragraphs 10 & 11) so far as they relate to their Ministries/Office, through affidavits filed by officers not below the rank of Joint Secretary; and
- (b) On the next date of hearing the officers swearing the affidavits must be present to answer any questions that may be raised relating to their statements made therein.

3. We have already prepared a Status Report indicating the action taken/orders/directions contained in the Status Report as on October 9, 2001 and the same is placed below (DFA). Since the Chairman, Justice Mukherjee Commission of Inquiry has ordered responses of the Ministry of Home Affairs, Ministry of External Affairs and the Prime Minister's Office to the statements made in the Status Report as on October 9, 2001 filed through affidavits necessary affidavit has been prepared as from JS (IS-I) dealing with the various points raised in the Status Report as on October 9, 2001.

4. The various action points shown against the Ministry of Home Affairs are contained in Paragraphs 2, 5, 6, 7, 8 & 9 of the Status Report. These points in brief are dealt with in the succeeding paragraphs.

5. In Para-2 of the Status report it has been required to indicate which of the files/records/documents mentioned in paras (a) (i) and (a) (iii) of the proceedings dated March 23, 2001 of the Commission pertain to PMO, which of them pertain to MOD and which of them pertain to MEA. In this connection it may be stated that no such documents are available in the Ministry of Home Affairs and we have taken up the matter with MEA, PMO, MOD and IB to identify the files/documents/records pertaining to them and to apprise the Commission directly of the position. Only MOD has informed that they have filed an affidavit before JMCI on 1st February 2001. IB has also filed a separate affidavit on 11.12.2001 stating their position with regard to various documents. This Ministry is, therefore not in position to state as to which Ministry these documents pertain to.

6. In Para-5 of the Status Report it has been stated that neither the original records of the day ^{day} proceedings of Justice Khosla Commission of Inquiry nor any authenticated copy thereof has yet been received by the Commission. It has been requested to ensure more vigorous efforts to locate all the remaining records pertaining to Justice Khosla Commission of Inquiry. It may be stated that in the affidavit filed by JS(IS-I) on 27-2-2001 before the Commission it has been stated in Para-7 ^{there} of that records pertaining to Khosla Commission have already been made available to the Hon'ble Commission and as directed by the Commission a vigorous search was launched to locate files/documents mentioned in the proceedings from time to time. As a result of this search, some more documents have since become available and it is proposed to send a list thereof with the affidavit of JS (IS-I) for perusal of the Commission.

7. In Para-6 of the Status Report reference has been made to a statement by Late Morarji Desai on August 28, 1978 that "Further contemporary official documentary records have also become available" concerning Netaji Subhas Chandra Bose. This Ministry has been requested to produce duly attested Xerox copies of all those "Further contemporary official documentary records". However, the said documents/records are yet to be received. Efforts have been made to locate any such record in this Ministry. However no such records have been located in this Ministry so far.

8. In Para-7 of the Status Report it has been stated that the report and the affidavit, as called, for the Ministry of Home Affairs have not yet been received. In this connection the position is that the affidavit/supplementary affidavits of some deponents including the affidavit dated 17 February 2000 and the two supplementary affidavits dated July 28, 2000 and August 25, 2000 filed on behalf of Jyotish Chandra Bose and 8 others, the contents thereof have been gone through. The various averments made in these affidavits state that the Government of India has not been categorically stating its position. Since the Government has already set by Justice Mukherjee Commission of Inquiry and the contents of all the affidavits are matters to be considered by the Commission and take a view, as such the averments made therein ^{have} neither been admitted nor denied and the matter left to the Commission to take a view. With regard to the contentions in the affidavit this Ministry has taken up the matter with the Ministry of External Affairs, Ministry of Defence, Intelligence Bureau, National Archives and Prime Minister's Office to go through the documents and if necessary submit an affidavit to the Commission directly.

9. In para-8 of the Status Report the confirmation have been sought from this Ministry as well as from the Prime Minister's Office whether an affidavit was filed before the Justice Khosla Commission on behalf of the Government of Indian wherein it was averred, inter alia, that more than 34 confidential files relating to 'Netaji Mystery' were found either destroyed or missing and if so, furnish a copy of the said affidavit. Efforts have been made to locate such ^{an} affidavit for placing before the Commission. However, no such affidavit has been located so far.

10. In so far as contents of Para-9 of the Status Report the Ministry of Home Affairs was requested to furnish the original or authenticated copies of documents relied upon by some deponents in their affidavit/supplementary affidavits. In response Ministry of Home Affairs sent to the Commission a copy of the letter dated July 4, 2001 addressed to different authorities of Government of India requesting therein to go through the list of documents and if necessary submit an affidavit before the Commission directly. The Commission wanted this Ministry to clarify whether or not the Ministry of Home Affairs is at all concerned in the matter of furnishing the documents. In this regard, as already stated we have sent copies of the affidavit to the concerned Ministry for examination and reporting directly to the Commission. It is not possible for this Ministry to indicate the name of the Ministry/Departments concerned with various

documents. As regards the position with regard to the document/files located by this Ministry, a list of further documents, as stated earlier, is being made available to the Commission for perusal. This drill to locate further records was undertaken by two internal Committees set up for the purpose. The two lists made available by these committees are being furnished to the Commission along with this affidavit.

11. Based on the position as explained in the preceding paragraphs, an affidavit to be filed before the Commission by JS (IS-I) has been attempted which may kindly be seen for consideration/approval. This affidavit is to be filed before 19th December 2001 when the Commission is meeting at Vigyan Bhavan, New Delhi.

v Flagged
as list I & II
in the folder
placed below

V.P. Bhatia
14.12.01
(V.P. Bhatia)
Under Secretary (D.IV)
14.12.2001

DS (IS-I)

Reference above.

The background for filing affidavit and the contents of the same have been given in detail in the above referred note at p. 22-23/w.

May pl. approve.

JS (IS-I)

[Signature]
14.12.01

No. 3855/HS/2001
Date 18/12/01

Sanjita Gaurola
15.12.01

Secy (IS)

I have suggested a minor addition in para 6 (with regard to para 8 of the Stalin report) that the fact of an entry to PRO in this regard should also be mentioned.

HS may like to see it before it is filed today.

1-3910/Secy (IS) 18/12

HS

18/12/01

18/12/01

Status note as on 19.3.2002 has been discussed with Director (IS-I) on 27.4.2002. Based on those discussions and the available documents, action taken has been indicated against each point in her statement placed below.

May kindly see before issue

Prashant
30.4.2002

Director (IS-I)

Pl. discuss on 7/5

USDIV

15/5
6/5

Reference above:

2. This relates to Status Reports of the Commission as on 19.3.2002, 1.4.2002 to 30.4.2002 and 1.5.2002 to 31.5.2002 and action taken thereon inter alia indicating the status of the issues as mentioned therein. Based on the preceding note and the latest position as available on the subject, a draft statement indicating the position is placed below for consideration and perusal.

3. In the Status Report, the Commission has mentioned about its proceedings and action pending with reference to various issues at various levels including other Ministries. We have clarified the position in this regard through the affidavits filed by us as well as the communication sent to the Commission that whatever documents were available with this Ministry, the same had been made available to the Commission and in respect of the documents for which privilege has been claimed, details thereof have also been furnished to the Commission and a request made that the documents could be perused by the Commission, if so desired. In respect of the other Ministries, it has also been clarified that the requisite information pertaining to them needs to be obtained by the Commission directly from the concerned Ministries.

4. In view of the above, if approved, we may forward our comments to the Commission, as indicated, in the statement placed at Slip 'X' wherein the position with reference to points concerning this Ministry has been indicated keeping in view the Status Reports of the Commission for the months of March, April and May, 2002.

5. JS(IS-I) may kindly see.

(B.R. DHIMAN)
Under Secretary (D.II)
11.7.2002

Director (IS-I)

5011/Dir (IS-I)/02
06/5

Pl. put up
on 9/5
7/5

Sh.M.
L.P.U.C.
@ slip FRI
@ slip FRI
Status Note.

7119/Dir (IS-I)
11/7/02

Reference notes at pre-page. Draft Status report placed at F/x may kindly be seen w.r.t. JMCI's letter at FR II.

2. The list of documents / papers / records pertaining to Khushi Comm / Subash Chandra Bose has already been enclosed with an affidavit filed by JS (IS-1) on 19.12.2001. Subsequently another VO note dt 11/4/2002 was sent to JMCI stating that no further records have become available despite vigorous efforts. Despite our categorical statement with regard to availability of records pertaining to Subash Chandra Bose / Khushi Commission, JMCI has been asking us to locate new files / papers / documents.
3. In view of above if approved we may write to JMCI to depute its staff to peruse the documents available in this Ministry or take these documents / files to JMCI office in Calcutta.
4. If approved we may also request JMCI to give an interim report on the its findings so far.

Submitted for approval please.

JS (IS-1)

12/7/02

12.7.02

Dir (IS-1)

Make the necessary changes as pointed out by JS. We may send the Status report at the earliest by 16/7/02

US DIV

TZ
15/7

Ref. page :-

@N

Discussed with Div (IS I). The
V.O. letter dated 11.6.2002[@] was shown. Based
thereon, the response has been amended and
it was decided that we may send
status note to the Commission as per facts
placed below.

Div (IS I) ^{may} please see before
coincide encls. will also be added.

SR Sharma
17/7/02

Director (IS I)

pl. ensure that
all the enclosures are sent
alongwith the status report.

USDH

Pl. attach ^{10/7} ~~10/7~~ ^{17/7}
18/7/2002

DOH
Miss Meena

Seen Thant

USDH
20/7


10/7
23/7

Reference on pre-page.

2. Joint Director, IB, in his D.O. letter dated 27.9.2002 has mentioned that Justice Mukherjee Commission of Inquiry had forwarded a copy of counter-affidavit filed by Shri Sunil Krishna Gupta as a rejoinder to an affidavit dated 12.12.01 filed by the IB in respect of disappearance of Netaji Subhas Chandra Bose for comments.

3. While referring to the earlier affidavit filed by the IB, it has been mentioned that the matter has been discussed with the Asstt. Legal Advisor of the IB. According to him, the counter-affidavit should be got vetted by the Government Counsel in appearance on behalf of the Government of India. Accordingly, para-wise reply has been prepared by the IB which is required got vetted by the Central Government Counsel. It has been mentioned that the necessary instructions in this regard be issued to the Central Govt. Counsel inter alia intimating that an officer of SIB, Kolkata, be met ahim with the counter-affidavit to be filed before JMCI after hearing from him.

4. In this regard, we may, accordingly, request the Central Govt. Counsel Shri Tarakeswar Pal as per draft letter placed below for consideration/approval.


(B.R. DHIMAN)
Under Secretary (D.II)
9.10.2002

Director (IS-II)

The file is regarding the constitution of the Inquiry Commission, headed by Justice M.K. Mukherjee to inquire into the alleged disappearance of Netaji Subhas Chandra Bose. The Commission was set up in May 1999 by the Govt. of India. The correspondence has been going on between the Commission and MHA for filing various documents with the Commission, to come to a final conclusion.

Encl.,
-

FR is from Smt A.K. Gupta, Joint Director, Intelligence Bureau. In this connection, note on pre-page may kindly be perused.

IB had filed an affidavit on 12.12.01 with the commission affirming decision about the availability / non-availability of certain documents, regarding Netaji Subhash Chander Bose, with IB. To this, one counter-affidavit (Affidavit in opposition) was filed by one of the Defendants, Smt Sunil Krishna Gupta, as a rejoinder to the Affidavit filed by IB on 12.12.01.

Now, a counter-Affidavit is to be filed by IB with the para-wise comments which are to be vetted by the central govt. counsel, Kolkata, before filing with the commission. This has been discussed by IB with their Assistant Legal Adviser. IB has requested, therefore, MHA to issue necessary instructions to the central govt. counsel intimating, inter-alia, that an officer of SIB Kolkata would meet him with the counter-affidavit, which is to be vetted and filed with the commission, on behalf of Govt. of India, may pl. see before issue. However, it may be mentioned that IB has not enclosed with FR the copy of the para-wise comments, to be vetted by the central govt. counsel.

Submitted.

JS (137)

15/12/01

12/12/01

16/12/01

(Signature)

T6110

PP 181-188/2

Enclosed with FR

1638/Dir (ST) 2
17/10

TIME-BOUNDMINISTRY OF HOME AFFAIRS
IS DIVISION (US D.IV)

* * * *

Subject : Justice Mukherjee Commission of Inquiry
into the alleged disappearance of Netaji
Subhas Chandra Bose.

* * * *

Department of Economic Affairs may please refer to this Ministry's I.D.Note of even number dated 8th November, 2000 and subsequent reminder dated 24.11.2000 regarding de-classification of Cabinet Note No. 1/18/68-Coin dated 17.5.1968 on 'Issue of commemorative stamps/coins of Netaji Subhas Chandra Bose on 21.10.1968 on the occasion of the silver jubilee of the founding of the Azad Hind Government'. A copy of the said Cabinet Note is enclosed for ready reference. Since this Note had originated from the Department of Economic Affairs, the considered views of the Department of Economic Affairs may please be made available to this Ministry immediately as to whether the said Cabinet Note can be de-classified or has to be retained as classified.

2. It is requested that the views of the Department of Economic Affairs on de-classification or otherwise of the said Cabinet Note may please be communicated to this Ministry without any further delay.

(V.P. BHATIA)

UNDER SECRETARY TO THE GOVT. OF INDIA.

Department of Economic Affairs (Shri M.P. Singh, Under Secretary (Coins), North Block, New Delhi.

MHA I.D.Note No. I-12014/13/2000-IS(D.III) dated 19.12.2000.

12/12
MB
19/12

By hand
Please inform at once
12/12

15/12/00
To me

No. I-12014/13/2000-IS(D.III)
GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

* * * *

New Delhi, the 5th January, 2001.

OFFICE MEMORANDUM

Subject : Justice Mukherjee Commission of Inquiry -
Regarding.

* * * *

The undersigned is directed to say that in the proceedings in its sitting on 28.9.2000, the Commission inter alia directed production of the following documents :-

- (i) A xerox copy of the letter said to be sent by General Chiang-kai-Sheikh to Pandit Jawaharlal Nehru about an inquiry reportedly made by the Government of Nationalist China at Taipei regarding the alleged plane-crash involving Netaji alongwith a xerox copy of the said inquiry Report; and
- (ii) A xerox copy of the report dated 31.12.1945 of Shri B.C. Chakravarty (Witness No. 168 before Justice Khosla Commission of Inquiry) on alleged air-crash and alleged death of Netaji Subhas Chandra Bose which was counter-signed by Col. Stevenson and sent to the CSDIC as referred to in the published report of the Commission.

2. We have made efforts to ^{see} such these documents in the records of this Ministry but could not lay our hands on any such document. We are required to file a supplementary affidavit relating to these two documents before the Commission. Before any committal position is stated in the supplementary affidavit, it is requested that efforts may please be made in the National Archives to see if letter/documents mentioned above are available in the Archives.

3. Since the supplementary affidavit is to be filed before the next sitting of the Commission on 17.1.2001, it is requested that the result of the efforts to locate these two documents in the Archives may please be communicated to this Ministry at the earliest.

(V.P. BHATIA)
UNDER SECRETARY TO THE GOVT. OF INDIA.

Dr. Sukumar Sarkar,
Director General,
National Archives of India,
Janpath,
NEW DELHI.

Out Today
M. im
lm
5/1

15/1/01
To m

105 6
5/1/01

No. I-12014/13/2000-IS (D.III)
GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

New Delhi, the 11th January 2001

OFFICE MEMORANDUM

Sub:- Justice Mukherjee Commission of Inquiry- regarding.

The undersigned is directed to say that in the proceedings in its sitting on 28.09.2000, the Commission inter alia directed production of the following documents :-

- (i) A xerox copy of the letter said to be sent by General Chiang-kai-Sheikh to Pandit Jawaharlal Nehru about an inquiry reportedly made by the Government of Nationalist China at Taipei regarding the alleged plane-crash involving Netaji alongwith a xerox copy of the said inquiry Report; and
- (ii) A xerox copy of the report dated 31.12.1945 of Shri B.C.Chakravarty (Witness No. 168 before Justice Khosla Commission of Inquiry) on alleged air-crash and alleged death of Netaji Subhas Chandra Bose which was counter-signed by Col. Stevenson and sent to the CSDIC as referred to in the published report of the Commission.

2. We have made efforts to search these documents in the records of this Ministry but could not lay our hands on any such document. We are required to file a supplementary affidavit relating to these two documents before the Commission. Before any committal position is stated in the supplementary affidavit, it is requested that efforts may please be made in the Prime Minister's Office to see if letter/documents mentioned above are available in that Office.

3. Since the supplementary affidavit is to be filed before the next sitting of the Commission on 17.01.2001, it is requested that the result of the efforts to locate these two documents in the Prime Minister's Office may please be communicated to this Ministry at the earliest.

(V.P.BHATIA)

Under Secretary to the Govt. of India

Please view at once
1/11/01
Smt. Archana
South Block
Delhi

No. I-12014/13/2000-IS (D.III)
GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

New Delhi, the 11th January 2001

OFFICE MEMORANDUM

Sub:- Justice Mukherjee Commission of Inquiry- regarding.

The undersigned is directed to say that in the proceedings in its sitting on 28.09.2000, the Commission inter alia directed production of the following documents :-

- (i) A xerox copy of the letter said to be sent by General Chiang-kai-Sheikh to Pandit Jawaharlal Nehru about an inquiry reportedly made by the Government of Nationalist China at Taipei regarding the alleged plane-crash involving Netaji alongwith a xerox copy of the said inquiry Report; and
- (ii) A xerox copy of the report dated 31.12.1945 of Shri B.C.Chakravarty (Witness No. 168 before Justice Khosla Commission of Inquiry) on alleged air-crash and alleged death of Netaji Subhas Chandra Bose which was counter-signed by Col. Stevenson and sent to the CSDIC as referred to in the published report of the Commission.

2. We have made efforts to search these documents in the records of this Ministry but could not lay our hands on any such document. We are required to file a supplementary affidavit relating to these two documents before the Commission. Before any committal position is stated in the supplementary affidavit, it is requested that efforts may please be made in the Ministry of External Affairs to see if letter/documents mentioned above are available in that Ministry.

3. Since the supplementary affidavit is to be filed before the next sitting of the Commission on 17.01.2001, it is requested that the result of the efforts to locate these two documents in the Ministry of External Affairs may please be communicated to this Ministry at the earliest.

(V.P.BHATIA)

Under Secretary to the Govt. of India

Have him at once

44/15055 IV/2001 S-184
 PP Nautiyal
 Addl. Deputy Director

DQ No IV/8(29)/2000-19



आसूचना ब्यूरो
 गृह मंत्रालय
 भारत सरकार
INTELLIGENCE BUREAU
 (Ministry of Home Affairs)
 Government of India

नई दिल्ली, दिनांक 3.01.2001 199
 New Delhi, dated 3.01.2001

Dear Shri Bhatia,

Please refer to your ID note No. I.1201444/13/2000-IS(D.III) dated 18.12.2000 regarding factual position in respect of the availability/non-availability of records pertaining to Netaji/INA in a sworn affidavit.

2. As intimated earlier vide our DO letter of even number dated 7.11.2000, all the records relating to the subject were carefully checked again and it was found that there was no material available with the IB having a bearing on the disappearance of Netaji/INA, in addition to what was given to the Shah Nawaz Enquiry Committee vide IB letter No 1/INA/54 dated 22.6.56 (copy enclosed).

3. To avoid exposure of the Intelligence Bureau and its officers, MHA is requested to file an affidavit on behalf of IB with the Justice Mukherjee Commission of Inquiry.

Regards

Yours sincerely

Nautiyal
 (PP Nautiyal)

Shri VP Bhatia,
 Under Secretary,
 IS Division (US-D.IV)
 MHA (Govt. of India),
New Delhi.

SECRET

No. 1/INA/54,
Intelligence Bureau,
(Ministry of Home Affairs),
Government of India.

New Delhi-2, dated the
22 JUN 1956

Dear Shri Shah Nawaz Khan,

As directed by Mr. Mullik, I forward herewith copies of the following reports bearing on the death of Netaji Subhas Chandra Bose :-

- (a) Report No. B-2, dated 5.10.45 by Mr. P.E.S. Finney, Assistant Director, Intelligence Bureau, with enclosure. (Translation of messages found in a file belonging to Mihari Kikan).
- (b) Report No. C2/49 dated 8.10.45 from Lt. Col. John Figgess, British Staff Section, U.S.A. Forces, and enclosure. (Report by Counter Intelligence Corps, G.H.Q. AFPAF, dated 29.9.45).
- (c) Report dated 10.10.45 by Mr. P.E.S. Finney, and enclosure report dated 7.10.45 by Mr. W.P.M. Davies, Assistant Director, Intelligence Bureau.
- (d) Report dated 12.11.45 by Mr. P.E.S. Finney.
- (e) Letter No. C2, dated 17.11.45 from Lt. Col. John Figgess with 5 photographs.
- (f) Extract from C.S.D.I.C. (India) report No. 2 Section report No. 1155, dated 31.12.45.
- (g) Letter No. 210/B1269, dated 7.1.46 from C.S.D.I.C.

2. In Mr. Naitra's letter No. P.8/55/6, dated 20.4.56, he had asked us whether we had any reports or interrogations or other intelligence reports regarding :

- (a) General Isoda
- (b) Mr. Hashiya
- (c) Lt. Col. Ikeda
- (d) Col. Iano

It is regretted that we have been unable to trace any reports regarding these persons which would be of use to the Committee. A copy of Adv. H.C. SEATIC, HIAN SACSEA, Singapore, letter of 7.3.45 is, however, attached. The earlier reference mentioned in that letter appears to have been destroyed.

3. It is requested that these papers kindly be treated as secret and returned to longer required.

Yours sb

Shri Shah Nawaz Khan,
Chairman,
Netaji Enquiry Committee,
37, Parliament House, New Delhi.

Encl: 6
TR/21.6.

Dated 5/10/45.

SUBHAS CHANDRA BOSE.

1. Bose's departure from Bangkok on Aug. 17th has been described by two informants who are believed to be reliable. One of these was present on the airfield at the time of the departure. Bose arrived from Singapore on the 16th of Aug. and immediately sent for the leaders of I.N.A., the Cabinet Ministers and leaders of the local I.I.L. He gave them a farewell talk and told them that on the following day he was going East, though he did not say specifically why. He disposed of certain routine matters concerning the winding up of the Affairs of the provisional Government of Azad Hind. According to the principal informant who was a confidant of Bose, the latter did not confide in any one what his intentions were. It is more than likely that the informant is deliberately concealing this information. He does however say that he thought Bose was on his way to Tokio to discuss final arrangements for an attempt on his part to get permission to go to Manchuria where he could contact the Russians. This informant says that Bose had been trying to persuade the Japs to allow him to go to Moscow since October '44, when he told them that they had no chance of invading India through Burma, and that accordingly he would prefer to try another road to Delhi via Moscow. These protracted negotiations fell through as the Japanese refused to allow Bose to go out of their control, and as they felt that relations with Russia were not such as would permit of this.
2. The general opinion among Indians here is that Bose is not dead but has probably managed to evade Japanese control and has made his way to some place occupied by the Russians. The main informant, however, believes him to be dead. He feels that if he is not dead, he has "let down" the cause of Indian Independence and the I.N.A.
3. Lieutenant General Isoda of the Mikari Kikan, in a brief interview, gave us a story which agrees with that told by this informant. Isoda is now in Singapore, and no doubt has already been interrogated fully regarding this matter.
4. Informant's story is that the following persons left in Bose's own plane from Bangkok aerodrome early on the morning of the 17th of August: Iyer, Habibur Rahman, Gulzara Singh, Pritam Singh, Major Hassen and Mr. Deb Nath Das. The arrival there of all these persons has been reported by Saigon. Bose took with him 4 iron boxes of gold. The weight of each is not known, but was probably in the region of 80 lbs. Bose and his staff took a formal farewell of everybody, and indicated that they were not likely to comeback to this part of the world.
5. The rest of the story comes from General Isoda, and from information gleaned from certain I.I.L. personnel who returned to Bangkok from Saigon after Bose's arrival there. Apparently Bose's plane was not allowed to go beyond Saigon for reasons which are not quite clear. There may have been some Jap Air Force rule about planes passing out of one administrative area to another. There happened to be a plane leaving for Formosa, in which only 2 seats were

available, Bose accordingly took Col. Habibur Rahman with him leaving the others with him.

6. Reference should now be made to Hikari's telegrams attached and the S.E.A.T.I.C. interrogator's Note. At the time Bose arrived in Saigon, General Isoda was also there, and this fact may be significant if there was any plan on the part of the Hikari Kikan to allow Bose to escape, and to publish a false story regarding his death. This would have been the ideal place for Isoda to put into operation any such plan. Against this, however, is the fact related by the informant referred to above, that Bose's return from Singapore was a surprise to everybody including the Hikari. He had gone to Singapore on the 13th or 14th of August, and even sent telegrams to General Chatterjee in Saigon, and to Swami (his secret service Chief) in Penang to meet him there on the 16th. It was thought that Bose intended to give himself up with the I.N.A. in Singapore though there is nothing to substantiate this presumption. According to the informant, Bose did not meet General Chatterjee or Swami as, had he met either, he would certainly have brought them back to Bangkok with him. Major Swami has been arrested in Penang and may be able to throw further light on this end of the story.
7. With regard to the times and dates of Bose's departure and of the accident at TAIHOKU, Isoda says that the accident occurred as the plane was taking off from the air-field. As Bose left Saigon at 1700 hours on the 17th of August, the plane would have spent the night somewhere en route. The time of take-off from TAIHOKU on the next day, i.e. 1400 hrs., is reasonable, and there is therefore nothing suspicious on this point.
8. The first Hikari message was sent by Isoda from Saigon to the O.C. Hikari Kikan in Bangkok, and although marked "secret" he was asked to inform the Indian community of this fact. The next telegram, No. 2, dated the 20th of August, however was marked "top secret". The reason for this is not clear, but it may have been because Isoda himself, who sent it, had some doubts about the truth of the report. He therefore deputed an officer of the General Staff, TADA, who was not a Hikari officer, but who happened to be going to Tokyo to take up an appointment under the Imperial General Staff, to provide the Tokyo General Staff with the detailed report. This officer, if he can be located, would probably be able to provide the answer to the riddle. If in fact Isoda was in doubt about the truth of Bose's death, his wish for secrecy about the enquiry is understandable, in view of Formosan Army's having given him the information.
9. This second telegram of the 20 Aug. also clears up the discrepancy between the reports published on the 23rd August by the Domei Agency on the one hand and that published by Tokyo Radio on the other. It will be recalled that one report said that Bose died in a hospital in Japan, and the other indicated that he died in Formosa. The suspicion which arose as a result of this discrepancy is now eliminated.
10. The general impression given by these telegrams, including that of the 27th Aug. which asks for a report on the progress of Habibur Rahman, together with the manner in which they were found, is that they convey the truth. Saigon have already been asked to search for the Hikari originals as well as the incoming telegrams from Formosa and others connected with this. If they are part of a colossal and well executed deception manoeuvre, this file of

telegrams, along with numerous other documents, must have been purposely left where the British would find them. But in that case one would have expected some report from the Staff Officer to be on the file, whereas the series is incomplete. Although at this stage one cannot rule out the possibility of Bose being still alive, and of these telegrams being part of a deception plan regarding himself, (particularly in view of his previous intentions of escaping to Russia), the general impression gained from the study of these documents and the talk with Isoda and my informant is that Bose did actually die as stated.

Sd. P.E.S.Firney.
Assistant Director,
Intelligence Bureau, Govt. of India.
Attached I.A.U. 7 Division
Bangkok.

CONFIDENTIAL

SEATIC Section
Intelligence Assault Unit,
7th Ind Div ALF SIAM

24th Sep. 1945.

SUBJECT: Translation of messages re death of Bose found in
a file of reports belonging to the HIKARI KIKAN.

1. HIKARI KIKAN SIGNAL RE. 'T' (TN: Bose)
18 Aug.

TO: OC HIKARI KIKAN.
FROM: Chief of Staff, Southern Army.
Southern Army Signal 393.

Today at 1700 hours (17 Aug.), 'T', with Lt Gen Shidei
and others, left here for TOKIO via FORMOSA and DAIREN.
Inform Indian community of this.

Depending on circumstances, I expect to return in two or
three days. (from OC KIKAN)

2. TO: OC KIKAN
FROM: Chief of Staff Southern Army.
Southern Army Staff II Signal 66, 20th Aug. "TOP SECRET"

'T', while on his way to the capital, as a result of an
accident to his aircraft at TAIHOKU at 1400 hours on the
18th was seriously injured and died at midnight on the
same date. His body has been flown to TOKIO by the Formosan
Army.

I have thanked the Formosan Army for their kindness. Further
I have asked that proof of his death in the plane accident-
remains, photographs etc. - be collected.

As for the Centre, I am getting Staff Officer TADA, who
leaves SAIGON on the 20th to take up an appointment, to
provide them with a detailed report, I wish secrecy to be
maintained in handling the matter.

3. HIKARI KIKAN SIGNAL RE. 'T'
24 Aug. 1945
To: OC Malay Branch (TN: ? not clear)
OC SAIGON EMBARKATION POINT.
Chief of Staff, Southern Army.

FROM: OC HIKARI KIKAN.

Re. death of 'T'. Please ensure that Indian communities
are informed of the DOMEI despatch reporting 'T's death.

Document 128

4. HIKARI Message 1020
27 Aug 1945

TO: Chief of Staff, Southern Army
From: OC HIKARI KIKAN

Request urgently the report on the later progress
of Col. 'HABIB RAMAN'.

N.B. These messages were found in the ordinary file in their
proper place and numbered and docketed in the usual manner.
There was nothing suspicious about them and they did not
appear to be interpolations.

Signals No. 4, 5, & 6.
SEATIC DOCUMENT 128

IN
pp. S. Hyder
Capt. OC Section

INTERROGATION REPORT - MAJOR TAKAHASHI, Kiyoji, Hikari Kikan.

SUBJECT: Signals re Bose's reported death Nos. 4, 5 and 6, SEATIC File No. 128.

Notes on source: Up to May 45 Adj. Hikari Kikan; since May 10th Adj. and OC 4 'HAN'. Appears and discreet but no obstructionist. As Adj. his job similar to that of British Adj. - admin. and internal discipline and not concerned with more secret activities of H.K. (this prob. fine) was not questioned on his tasks as OC 4 'HAN'.

Source had not seen Signal No. 5 before, but had himself sent signal No. 6, Signal No 5 (via. notification of Bose's death) sent by ISODA from SAIGON: Top secret and only to be read by Col. KAGAWA and Capt. YAMAMURA, HIROSHI both of whom are high grade staff officers (SAMBO). Apart from ISODA no other officers in H.K. were allowed to read such Top Secret messages (wireless signatures only see such messages in Syllabic Script and prob. cannot understand them). Message has been initialled by YAMAMURA and ISODA (after his return) though not by KAGAWA who must have seen it.

Sig. No. 5 3 meaning "centre" is I.G.S. Tokio. TADA, presumably a Southern Staff Officer, NOT a H.K. Officer, is to take a detailed report on the accident to Tokyo, when he leaves to take up an appointment (obviously in Japan).

3 second half: The 'secrecy to be maintained in handling the matter must apply to the fact that investigations are proceeding to prove the truth or falsehood of the report of Bose's death NOT is the report itself since in Sig. No. 6 instructions are given to broadcast to Indians generally the report as given by the Domei Agency.

Implication of this seems to be that ISODA had some doubts himself of the truth of the report. Source half agreed that this is a reasonable implication. He himself knew no more than was given in the Domei report. Had seen neither photographs nor other proofs of the accident (reasonably, as he was not in the secret), but did not think that any had in fact arrived in Bangkok. Proofs, if any might be in SAIGON.

25.9.45.

D. MITCHELL Lieut BA

SEATIC Att. IAU

CONFIDENTIAL.

General Headquarters
UNITED STATES ARMY FORCES, PACIFIC.

Adv Ech
APO 500
8 Oct 45.

CZ/49.

C in C INDIA
(Att D.M.I.)

Death of S.C. BOSE.

1. Further to our Z/45 of 25 Sep. a copy is sent herewith of report by Counter Intelligence Corps GHQ AFPAC covering information on the death of S.C. Bose resulting from interrogation of Habibullah Rahman (referred to in the report as HABIB UR RAHMAN KHAN).

2. It will be seen that this account corresponds almost identically with the facts given in the report forwarded with the above-mentioned letter, but unfortunately the evidence cannot be regarded as conclusive, since we have reason to believe that the Japanese Government also drew on Habibullah Rahman for the information submitted to us.

3. The Counter Intelligence Corps has been asked to obtain for us from the Japanese Government copies of the photographs referred to at the foot of page 2 of the report, and these will be forwarded to you as soon as received.

Sd/- John Figgess.
Lieut Col.
British Staff Section.

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Report by Counter Intelligence Corps, GHQ ACPAC, on
Death of Subhas Chandra Bose, dated 29 Sep. 45.

The following information concerning the circumstances of the death of Subhas Chandra Bose, head of the Indian National Army, was obtained on 24 Sep 1945 through interview of Habib ur Rahman Khan, former Deputy Chief of Staff and Aide de Camp to Bose, at the Tokyo residence at Rama Murti, head of the Indian Independence League.

Rahman held the rank of Colonel and was Deputy Chief of Staff under the Chief of Staff, Major General J.K. Bhonsale. He was also the Aide de Camp to Bose, with headquarters in Singapore. Rahman revealed that on 16 Aug 1945 he accompanied Bose on a proposed trip to Tokyo, Japan, to negotiate with the Japanese Government as to the disposition of the Indian National Army, but the plane in which they were riding crashed and Bose was killed. The following is the itinerary described by Rahman:

16 Aug 45

1030 Departed Singapore
1530 Arrived Bangkok - remained overnight

17 Aug 45

0800 Departed Bangkok
1100 Arrived Saigon - changed planes.
1700 Departed Saigon
1945 Arrived Tourane, French Indo China - remained overnight.

18 August 45

0700 Departed Tourane
1400 Arrived Taihoku - ate lunch
1435 Departed Taihoku - plane crashed.

According to Rahman the plane had not gained much altitude after the take-off from Taihoku, when he heard a terrific explosion and felt the plane vibrating violently. He later learned that the plane had lost the propeller from its port engine and was out of control. The pilot made an effort to land but was unable to regain control and the plane crashed at the end of the airfield. Rahman stated that he was not rendered unconscious and noticed immediately after the crash that the interior of the plane broke into flames at the nose and tail. Due to the terrific crash the canopy overhead was broken and it was through this opening that those not too seriously injured or instantly killed escaped from the burning plane. He revealed that he had no knowledge of how Bose escaped or was removed from the plane. He stated that upon alighting from the plane he noticed his own coat afire. He removed it immediately and then saw Bose lying by the plane with his clothing afire, whereupon Rahman went to the aid of Bose and removed his burning clothing. He added that the seat Bose occupied in the aircraft was beside a petrol tank and at the time of the crash the tank exploded, spreading the burning fuel on Bose's clothing.

It was at this time that vehicles from the airfield came to the crash and removed all persons to the Japanese Military Hospital (Rikugun Biyochin) in Taihoku, where they received medical treatment. It was later determined that Bose received serious injuries about the head and neck in addition to his severe burns. Rahman received two lacerations on his hand, one on his right leg and burns on his hands, arms and face. According to Rahman, Bose recovered sufficiently to carry on a conversation and complained of the pain in his head and asked him to request that the medical

authorities check his blood pressure. Rahman declared that at approximately 2100, 18 Aug 45, Bose died of the injuries received in the plane crash. Those present at the time of his death, in addition to the medical authorities, were Rahman and (FNU) Nakamura, of the Japanese Foreign Office in Taihoku. Other passengers in the plane, as named by Rahman, were Lt. Genl. Shidei, Lt. Col. Sakai, five or six other Japanese officers and the crew.

On 20 Aug 1945 Bose was removed from the hospital and his remains were placed in a box provided by the Japanese. Rahman requested the remains be flown to Singapore or to Tokyo. Major (FNU) Nagatome, a Japanese Staff Officer with Headquarters in Taihoku, informed Rahman on 21 Aug 1945 that it would be impossible to transport the remains by air due to the size of the box in which Bose was placed. Major Nagatome suggested to Rahman at that time that the body be cremated, and Rahman, after careful consideration, agreed. On 22 August 1945 the body was admitted to the hospital crematory and on 23 Aug 1945 the ashes were removed by Nakamura and Major Nagatome.

Rahman advised that on 31 Aug 1945 he was removed to the Japanese Army Hospital at Hukto, Formosa. On 4 Sep 1945 he accompanied the ashes of Bose to Gifu, Honshu, Japan, from where he travelled by rail to Tokyo, arriving on 6 Sep 1945. Rahman was met by 2/Lt (FNU) Hasegawa, a Japanese representative of the General Staff, who took him to Mr. Rama Murti's residence. Due to the crowded conditions, Rahman moved to the residence of Mrs. A.M. Sahay, Kamionikubo, 1 choma 103, Tokyo, where he remained for five or six days. Arrangements were made for him to remain with Mr. Rama Murti until such time as his residence could be prepared for occupancy.

The ashes of Bose were delivered to Rama Murti, who retained them until 13 Sep 1945, at which time prayers were held and the ashes placed in the Renkogi Temple. The services were attended by numerous Indian Nationals in Tokyo.

According to Rahman, photos were taken at the scene of the crash and also at the hospital after the death of Bose. The photos are at present in possession of the "Japanese War Office" in Tokyo.

Rahman further added that he was questioned by Lt. Hasegawa relative to the death of Mr. Bose some time between 7 and 10 Sep. 1945.

At the time of departure from Singapore, Bose carried with him four pieces of luggage and one brief case which contained personal effects and official correspondence. At Saigon he was forced to leave one of the pieces because of the overload on the aircraft, whereupon he rearranged his luggage and disposed of portions of his personal clothing. Mr. Bose's personal effects and the official correspondence were destroyed at the time of the accident.

Refce. DTB/B.2

TOP SECRET.
DTB / IAU
7 Divn. Bangkok.

Dated 10.10.45.

SUBHAS CHANDRA BOSE.

1. Since the Note dated 5.10.45, some further information has been received concerning BOSE's death.
2. The informant in close touch with BOSE, who is referred to in the original Report, has been examined again, and now says that BOSE's party for Saigon on the 17th of August did not go in BOSE's own plane, but in 2 aircraft which the Japanese here had placed at BOSE's disposal. Both were apparently two-engined bombers of an unknown make, and both appeared to be old.
3. The first plane contained BOSE, IYER, HABIBUR RAHMAN, GULZARA SINGH and DEB NATH DAS. In the other plane were Lt/Gen. ISODA, HACHIYA, PRITAM SINGH and Maj. HASSAN. ISODA and HACHIYA returned to Bangkok a few days later. They did not give any information to any of the Indian community until a junior officer, ISHIKAWA, was sent from the Hikari Office to confirm the death news published by Domei Agency on August 23rd. So far as the informant knows, this was the only conversation anybody in the Hikari had with the League people about BOSE's death.
4. DTB Saigon say that air-field records there have all been destroyed. The Japanese air-force control officer however has been examined. He thinks that the plane left Saigon on the 18th or 19th, and says that it was a bomber type "Sally". This officer says that the telegraph service to Singapore from Taihoku reported the death, saying that the port motor of the aircraft fell out soon after take-off. This, to a certain extent, corroborates the Hikari messages mentioned in the first Report.
5. Asked why he did not give the correct description of BOSE's departure when originally asked, the informant said that he did not realise so much detail was required. Also he had forgotten that it was not BOSE's own aircraft which he says was destroyed on Bangkok air-field by Allied strafing some months ago (possibly December 1944).

Sd/- P. E. F. ...
Asstt. Director
Intelligence Bureau
Government of India
attached I.A.U.
7 Divn.
Bangkok.

16

SECRET

SUBHAS CH. BOSE
SAIGON ENQUIRY

Captain YOSHIDA of the Japanese Air Force Staff at SAIGON was interviewed on 5/10/45 in connection with the movements of S.C. BOSE through SAIGON during August. Interrogations of local Indians have only elicited the information that BOSE arrived by air from SINGAPORE on the 17th. at 10.00 hrs and left the same day at 14.00 hrs. According to them, he met a number of Japanese officers at the house of NARAINDAS but that he did not disclose his intentions to anyone. The identities of the Japanese officers are not known.

2. Source states that the records of aircraft arrivals and departures have been destroyed but that he can remember certain details of important movements during the period. He has no recollection of how, when or from where BOSE arrived. He thinks he left on the 18th or 19th at 14.00 or 15.00 hrs. There is no reason to doubt that the date was in fact the 17th and source is only relying on his memory.

3. The aircraft used was a K21 Heavy Bomber (SALLY) and the final destination was TOKYO. The aircraft belonged to the 3rd Air Army (HQ SINGAPORE), chief pilot Sub/ Lt AOYANAGI. The passengers were:-

1. S.C. BOSE
2. One Indian Major, Lt. Col. or Col.
3. Lt. General SHIDEI (former C of S, Burma Army)
4. Lt. Col. SAKAI)
5. " NONOGAKI)
6. Major KAWANO) of the Japanese Air
7. " TAKAHASHI) Force.
8. " TAKAZAWA)
9. Lt. ARAI)

The Japanese officers had been waiting for transport to TOKYO, where they were proceeding on transfer.

4. Source believes that the pilot's first instructions were to fly to TAIHOKU direct but that he was ordered subsequently to make a stop at TOURANE. In view of the distance involved and the time of departure, it is most improbable that a direct flight to TAIHOKU was attempted and the plane stopped the night at TOURANE.

5. Source states that a JAF service signal from TAIHOKU was later received by the JAF in SAIGON in which it was reported that the port motor dropped out of the aircraft after taking off from TAIHOKU on the day following. He heard that Gen. SHIDEI and one member of the crew were killed instantly and that several more, including BOSE, died later. The rest were injured seriously. He has promised to try and trace the signal but is not hopeful.

6. The information given by this officer corroborates the other information available on BOSE's fate. The ultimate confirmation will be available only in FORMOSA or beyond. It is not known here whether the injured persons, especially HABIB-UR-RAHMAN have yet been traced.

Sd/- W.P.M. DAVIES I.P.
7 Oct. 1945.

Forwarded to C.I.C.B. Sacsea
D.I.B., India
for information.

SECRET

DIB/1/1
R. S. S.
Bangkok

Refers: DIB/B/2

17.11.45.

Subject: SIRHAS CHANDRA BOSE

1. K. WATANABE is in the course of writing a long statement on the activities of the Hikari Kikan and I. H. A. The undersigned interviewed him this afternoon and he gave the following information concerning BOSE's departure from Bangkok.

2. Watanabe was a civilian interpreter attached to the Military branch of the Hikari Kikan. He was transferred from the Kikan to the Embassy on or about 14th August.

3. On or about 17th August (cannot remember exact date) he was called to interpret a conversation between Lt. Gen. ISODA and Col. KAGAWA on the one hand and SUBHAS BOSE, "Maj. Gen." BRODIE & "Lt. Col." HABIBUR RAHMAN. This took place at Gen. Isoda's house. When Watanabe reached there, the conversation was almost over, and Isoda was speaking without any interpreter. They were discussing how to get Mr. Bose to his destination. It was generally understood that he was to get to the Russians, probably to Manchuria. There were some doubts as to whether Southern Command in Saigon had planes to offer Bose.

4. With regard to Bose's going to Russia, it was an understood thing that in the Embassy and in the Hikari Kikan that he was going to hand himself up to the Russians in Manchuria. W. does not know further details, nor does he know whether he came to any terms with the Russians. It is unlikely that the Russians knew anything about this, because at the end of 1944 at the Tokyo Conference, Bose proposed to the Japanese that he should transfer his independence movement to Russia. He thought that the Japanese were beaten, or at any rate that they would not be able to assist his attack on India any further. The Japanese, however, refused to entertain any such idea.

5. When the situation got worse following the fall of Rangoon, and after the Wavell offer, Bose thought there would be trouble between Great Britain and Russia. He became despondent about the Wavell offer and again asked the Japanese to open up negotiations with the Russians. W. does not know what became of this.

6. Bose left with Isoda for Saigon on 17.8.45. The next W. heard was talk in the Embassy circles that one of the motors, or the propeller had fallen off the plane in which Bose and Col. Habibur Rahman were leaving Takoku airfield in Bombay. Bose died of his injuries along with a Japanese Lieutenant General. Habibur Rahman was injured. It was generally accepted amongst the Embassy staff that Bose had died, though W. saw no papers on the subject.

Sd/- P. S. S. Finney,
Assistant Director, I. B.
Government of India,
Attached I. A. U.

DIB/ 20.6.56.

GENERAL HEADQUARTERS
UNITED STATES ARMY FORCES PACIFIC.

43
APO 500
17 Nov. 45.

6
CZ/49.

To

Director of Military Intelligence,
GHQ, India.

From:-

British Staff Section.

DEATH OF S.C. BOSE.

Further to our CZ/49 of 8 Oct. 45.

Forwarded herewith one print each of
five different photographs alleged by the Japanese
Government to have been taken after the air crash which
resulted in the death of Subhas Chandra Bose.

Sd/- Lieut Colonel
British Staff Branch.

Copy to Director of Intelligence, SACSEA
(without enclosure).

19

Extract from the G.O. (D I.C. India) Red Fort, Delhi
No. 2 Section Report no. 1150, dated the 31.12.195.
Capt. Habib-ur-Rahman Khan.

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18. THE SURRENDER OF THE JAPANESE.

14 August 45. A messenger from HACHIYA (minister to the PG of Azad Hind) handed Bose a note that the Japanese Govt had decided to surrender and asked Bose whether he had anything to communicate to them on behalf of the PG of Azad Hind. In the afternoon Bose called a meeting at which the following were present:-

- (1) B 1269
- (2) S.A. Iyer.
- (3) Alagappan.
- (4) Nagar
- (5) M.Z. Kiani.
- (6) A.N. Sirkar.

Bose read the message of HACHIYA and then invited suggestions as to their further line of action. At the meeting it was decided that the I.N.A. would also surrender and that every one was to stay where he was, including Bose who decided to surrender at Singapore. Orders were then issued by Bose to distribute 3 months pay to all ranks, and to ensure that each I.N.A. Camp was provided with 2/3 months rations.

P.T.O.....

20

-10-

19. DEPARTURE TO BANGKOK

15 Aug.45 At about midnight, B 1269 was summoned by Bose, and on his arrival at Bose's Bungalow he found S.A.Iyer and Capt. S.N.Gupta 5/11 Sikh already there. B 1269 was ordered to take over charge of the I.N.A. HQ to M.Z. Kiani and to get ready for a journey to Bangkok on the following morning. The plan then was for Bose and B 1269 to return to Singapore within 2/3 days, and therefore only bare necessities were carried on this journey. B 1269 received further orders from Bose to destroy all Army records. These orders were conveyed to M.Z.Kiani for execution. B 1269 learnt from S.A. Iyer that the object of Bose's visit to Bangkok was to contact HACHIYA and Lt. Col. ISODA in connection with the surrender plans. B 1269 disclaims all knowledge of any secret orders issued by Bose to any I.N.A. or I.I.L. personnel.

16 Aug.45 B 1269 arrived at Bose's bungalow at 0900 hrs where he saw the following:-

- (1) S.A.Iyer
- (2) M.Z.Kiani.
- (3) Alagappan.
- (4) "Capt." Shamsher Singh
- (5) Lt.Col. Malhotra.
- (6) A young Japanese officer of Hikari Kikan
- (7) Capt Pritam Singh Kapurthala Inf.

B 1269 believes that Dr. Lakhshmaya (Chairman of I.I.L. Singapore) and A.N. Sirkar were also present there but he is not definite about this. B 1269 together with Bose and the a/m serials 1 to 7 went to the Civil Aerodrome where Bose, B 1269, S.A. Iyer and Capt Pritam Singh boarded a Japanese twin engine bomber especially chartered for Bose and party. B1269 carried a travelling bag and a suit case containing a consolidated statement of I.N.A. strength in Malaya. He states that he does not remember details of luggage carried by Bose and the others. The plane which left Singapore at 0930 hrs halted for a-n hour at Taiping, and reached Bangkok at about 1500 hrs that evening. They were not met by anybody at Bangkok aerodrome, due to telephone lines being dislocated as a result of air raids. At Bangkok aerodrome Bose waited for an hour, after which B 1269, Bose and Iyer left by car. On the way they met Bhonsle who took them in his car to a bungalow where Lt. Col ISODA and HACHIYA were living. There they met Lt. Gen. ISODA, HACHIYA and Col. KAGAWA. They held a conference at which HACHIYA spoke in English. They discussed the I.N.A. and Japanese surrender. HACHIYA and ISODA informed Bose that no orders had been received from the Japanese Govt. regarding the I.N.A. surrender, and therefore they were not in a position to advise on the proposal of a separate surrender by the I.N.A. They suggested that Bose go to

-11-

the Japanese HQ at Saigon to visit Fd Marshal TERAUCHI stating that they would be glad to accompany him there.

After this discussion Bose went to a bungalow in the suburbs of Bangkok (the same bungalow where Bose usually stayed while in Bangkok). The following visited him there:-

- (1) Maj Bhonsle (B 1189)
- (2) Ishar Singh
- (3) Capt (Col) Gulzara Singh.
- (4) Civ (Col) Hassan.
- (5) D.M. Khan.
- (6) Capt (Col) S.A. Malik.
- (7) Deb Nath Das.
- (8) Farmanand.
- (9) Jem (Lt) Risvi.

The a/m held an informal talk, and B 1269 disclosed to some of them that Bose was likely to return to Singapore within a couple of days.

20. THE LAST MOVEMENTS OF S.C. BOSE.

17 Aug 45. Two bombers carrying Bose and party took off for Saigon at about 0830 hrs. The following travelled in the same plane as Bose:-

- (1) S.A. Iyer
- (2) Deb Nath Das
- (3) Capt. Gulzara Singh
- (4) Civ NAGESHI

The other plane was occupied by:-

- (5) B 1269
- (6) Lt. Gen. ISODA
- (7) HACHIYA
- (8) Civ (Col) Hassan - Arrested in Bangkok.
- (9) Capt Pritam Singh.

About a dozen I.N.A. officers and men and also 2 or 3 local civilians assembled at the airfield to see them off. D.M. Khan was among them, but B 1269 has no information about Khan's subsequent movements.

21 AT SAIGON.

17 Aug. 45. Both bombers reached Saigon about 1130 hrs the same day. A number of Japanese officers met them but there were no Indians present. At the airfield HACHIYA and Lt. Gen. ISODA conversed with a Col on Fd Marshal TERAUCHI's staff, after which Bose was informed that it would be necessary for him to visit TERAUCHI's HQ located about half an hour's flying distance from Saigon airport. Bose agreed to go, but half an hour later the Japanese informed Bose that as a result of the surrender, general confusion existed and that no useful purpose would be served by Bose going to TERAUCHI's HQ.

17 Aug 45

Bose and party then motored to a vacant house originally occupied by Lt Col Chatterjee. At about 1500 hrs HACHIYA and ISODA together with the Staff Colonel informed Bose in the presence of Iyer and B1259, that Marshal TERAUCHI had received no orders from Tokyo in connection with the surrender of the I.N.A., and therefore he was not in a position to give any advice on the matter. Bose then asked the Japanese whether transport was available to take him and his staff to Tokyo in order to settle the matter thereof a separate surrender. After this Bose conferred with the following of his staff :-

- (1) B1259
- (2) Capt Gulzara Singh
- (3) S.A. Iyer
- (4) Capt Pritam Singh
- (5) Civ (Col) Hassan
- (6) Deb Nath Das

All agreed that flying to Tokyo was quite possible as the region between Saigon and Tokyo was still under Japanese control. It was further decided that the following

- (7) S.A. Iyer
- (8) B1259
- (9) Capt Gulzara Singh
- (10) Civ (Col) Hassan

should accompany Bose to Tokyo if transport for them was available. The Japanese Staff Officer arrived soon afterwards, and informed them that a plane bound for Tokyo was about to take off from Saigon airfield, but that only two persons could be accommodated in it. Bose insisted that he should get 5 seats, and the Staff Officer gave an assurance that the remaining three seats would be made available the following day. Bose then held another discussion with his would-be companions, and it was decided that he himself should go to Tokyo while the rest would follow the next day. Bose then looked at all those present and selected B1259 to accompany him. Bose's luggage was packed by Civ (Col) Hassan and it consisted of:

- (a) a suit case 22" by 15" by 9" approx
- (b) 2 small attache cases 15" by 8" by 6" approx

B1259 states that he has no knowledge as to the contents of these cases, as he never handled them.

Notes:- B1259 has been questioned about the large quantity of gold Bose is alleged to have carried away with him from Burma, but B1259 disclaims all knowledge of it. Civ Dina Nath (Chairman of Azad Hind Bank) has stated that of the Rs. 15 crores PG of India's total assets held in the Azad Hind Bank, 7½ crores were in property, 7½ crores in Japanese paper currency, and 145 pounds weight of gold. The gold was taken by Bose to Bangkok on 24 Apr. 45 when the I.N.A. HQ evacuated Burma.

17 Aug 45

By 1630 hrs that evening, Bose and B1259 entered the plane which was a twin engine bomber of the type used on their flight from Singapore to Saigon. B1259 does not know the Japanese bomber formation to which this aircraft belonged, nor has he any idea about its registration number. Besides Bose and B1259 there were other passengers whose respective positions in the bomber are given below :-

- (3) The wireless operator was seated in the nose.
- (4) In the pilot's seat was a Japanese sub offr.
- (5) A Japanese air-man sat on the right of the pilot.
- (6) A Japanese Air Force Officer sat behind the pilot.
- (7) A Japanese Gen named SHEDAI sat on the right of No.6
- (8) Bose sat behind Gen SHEDAI
- (9) B1259 sat behind Bose
- (10) A Japanese Colonel of the Air Force sat in the turret.
- (11) Lt Col SAKAMAKI sat in the turret with No.1
- (12) A Japanese Major sat in the tail with another Japanese Offr. and
- (13)

Serials 3-7 were already seated in the bomber when Bose entered the plane. As soon as Bose entered, Gen SHEDAI exchanged greetings with Bose. There was no formal introduction. Before leaving, Bose gave instructions to those left behind that they should follow him by plane as soon as possible. As far as B1259 knows, it was Bose's intention to return to Singapore after he had visited Tokyo and made arrangements there regarding a separate surrender for the I.N.A.

22. AT TOURANE (VIC)

17 Aug 45

The bomber reached Tourane (VIC) airfield at about 1830 hrs. The Japanese placed a staff car at the disposal of Bose, in which Bose, B1259 and the Japanese Maj drove off to the hotel in the town. B1259 stayed with Bose in this hotel for the night, but they lived in separate rooms.

18 Aug 45

B1259 and Bose arrived at Tourane at 0830 hrs, and entered the same bomber that they had travelled in the previous day. All passengers occupied seats in the same order as on the previous day's flight. There was no change in the number of passengers, and the luggage carried was also the same. Bose wore a khaki bush shirt and khaki trousers. His head dress was a khaki Fd Cap of Fd Service pattern.

18 Aug 45

On his right chest he wore a League of Nations badge and also the I.M.A. tricolour badge. As far as B1269 is aware, Bose was not wearing a wristlet watch, although B1269 cannot say whether he carried one in his pocket. B1269 knows nothing about the watch which Bose is alleged to have given Rhonsle (B1189).

Notes - Major Rhonsle possesses a gold watch and chain which he stated was given to him by Bose at Bangkok on 17 Aug 45.

B1269 insists that, as far as he was aware, it was Bose's intention to return from Tokyo as soon as he had completed his business there.

22. THE CRASH

18 Aug 45

At about 1400 hrs the bomber reached Taihoku (Pomosa) airfield where it refuelled and the passengers had lunch. No Indian was there to meet them and neither did Bose interview anyone there. While having lunch Bose mentioned casually to B1269 in Hindustani, that he hoped the Japanese would make arrangements for the rest of the party to come in time, and not disappoint them, as they had done previously at the time of his return from Tokyo. After a stay of about half an hour at the airfield, the bomber took off again. Before B1269 and Bose entered the plane, the engine had been started and the crew were all in their places. About 5 minutes after taking off, and when the plane had reached an altitude of about 300 ft. B1269 heard a very loud noise which resembled cannon fire coming from the direction of the nose of the plane. B1269 thought at the time that the plane had been attacked. The aircraft appeared to lose flying speed and crashed almost immediately afterwards, hitting the ground on its nose. The engines as well as the rear of the plane were on fire. B1269 saw Bose attempting to move towards the rear of the plane, but on B1269's suggestion, Bose changed his course and moved towards the front. The celluloid cover above the pilot's position had burst open.

Some of the Japanese passengers reached the aperture before B1269 and Bose, and crawling through it, dropped to the ground. The aperture was open to the left side of the plane. Bose then crawled through and was followed by B1269. In doing so the flames were coming from the front and B1269's face was burned on the right side (B1269 carries obvious marks of recent burning and scorching on the whole right side of his face). Alighting on the ground and collecting his wits, B1269 noticed Bose in a standing position about 12 yards away with smoke coming from garments. Bose was endeavouring to remove his clothes. B1269's clothes were not on fire. B1269 rushed towards Bose to help him and finally succeeded in beating out the flames. In doing so, B1269 received severe burns on both his hands (his hands are still cleaved and scarred.)

Bose had sustained serious burns all over his body and when he was laid on the ground B1269 noticed 2 or 3 fractures on the skull. Bose lay for a while on the ground quiet with eyes closed.

~~cremated as the Japanese had said they were unable~~

18 Aug 45

hands, B-1269's face was slightly burnt on the

His last words were in Hindustani "I feel that I shall die. I have fought for Indian Independence until the last. Tell my countrymen, India will be free before long. Long live Independent India". B1269 had seen only one Japanese (probably a Capt.) sitting on a boulder near the plane with bleeding injuries on his head. Besides burns on the right side, and he also received two minor wounds on the head and one lacerated wound on the right leg below the knee.

Note 1: B1269 bears marks of burns on the face and on both hands, two slight scars on the head and one mark of an injury on the right leg below the knee.

Note 2: When asked to explain why S.C. Bose was badly burned and he himself was not, B1269 stated that Bose's clothes may have been drenched in petrol, as Bose sat under a petrol tank in the plane. Bose's clothes were of light weight K.D. B 1269 wore knee-boots, serge breeches and a serge tunic, his clothes were not burned at all (he wears them now at CSBIC(f))

Within 10 minutes, a First Aid party arrived in lorries, and Bose and B1269 were removed in one of the lorries to the Army Hospital a short distance from the scene of accident. Among others injured who came to the hospital (some before B1269 and others after) were a pilot, a Lt. Col, a Major and Lt. or Capt. B1269 later heard that Gen SHEDAI, the wireless operator, one of the members of the air crew and the Japanese Air Force officer had died. The Japanese Gen had been killed instantaneously. B 1269 remained with Bose from the time of the crash until the death of Bose at about 2100 hrs that night Tokyo Time. Bose was treated for his burns and several injections were administered by 3 or 4 Japanese doctors who attended him. B1269 does not know the names of the hospital staff. Whilst in hospital Bose regained consciousness from time to time and uttered a few words, sometimes asking for water and sometimes suggesting that he be given injections. Some Japanese military officers came to the hospital and made enquiries from time to time about Bose's conditions. When the doctors announced Bose's death to these officers, B1269 requested them to send news to Bangkok and Singapore about the accident. Bose's body was kept in the room where he died, and B1269 remained there all the night together with Japanese guards and some patients. B-1269 states that he did not keep any souvenirs, as none was available on the person of Bose after the accident - all their luggage having been burnt on the plane.

19th August, 1945: - Bose's body remained in hospital all that day and night. The Japanese Staff Colonel visited B-1269 who requested him to make arrangements for the dead body to be taken to Singapore. B-1269 was told that arrangements were being made as requested for the corpse to be taken in a transport plane.

20th August, 1945: A coffin made of sandal wood was brought to the hospital and Bose's body was placed therein.

21st August, 1945: - B-1269 was informed that as the coffin was too large, it was not possible to transport it by plane, and the idea had therefore to be dropped. B-1269 then suggested that the body be cremated as the Japanese had said they were unable

16.

to preserve it. After the Japanese had signified their consent to this proposal, two photographs of Bose were taken, one with the body fully covered inside the coffin, and the other with the lid of the coffin closed and B-1269 seated by its side. Fruit and incense were placed on the coffin in accordance with Japanese custom.

22nd August, 1945: - At about 1000 hours Bose's body was removed to a crematorium where a Japanese cleric who spoke excellent English, performed a religious ceremony. After this, Bose's body was taken out of the coffin and placed in a furnace. The door of the furnace was locked and the key was kept by a Japanese military officer. B-1269 had declined to take charge of the key as he was at the time running a temperature and was in a very depressed state of mind. The body was then set alight by the cleric's assistant. At the cremation there were about 30 Japanese medical and military officers present. B-1269 does not recollect any of their names. B-1269 states that he was the only Indian present at the time. About half an hour after the body had been set alight, B-1269 left the crematorium with the others.

a)

In the city, there was a religious ceremony was again performed by the cleric. At this temple

23rd August, 1945: - B-1269 in the company of the cleric and a Staff Major and 3 or 4 other Japanese visited the crematorium when the ashes of Bose were collected and placed in a wooden box specially made for the purpose. B-1269 was shown a small piece of gold among the ashes which he believes was part of one of Bose's gold teeth. The box containing the ashes was then taken to a Japanese temple/one of the military officers pointed to another box and told B-1269 that it contained the ashes of the Japanese Gen, whom he said had also died as the result of the air crash.

23th August, 1945: - B-1269 was removed to Hokoto hospital a distance of about 12 miles from Taihoku. While there, B-1269 requested the Japanese authorities to send him back to either Bangkok or Singapore.

3 Sep., 1945: - B-1269 was told that a plane would be leaving for Tokyo on the following day, and that he could avail himself of this chance and take with him the ashes of Bose to Tokyo.

b.

4 Sep 45.

B1269 returned to Taihoku and boarded the plane which carried 4 other Japanese passengers including Lt Col SAKAMAKI and 3 civilians whose names were not known to B1269. B1269 was told that the crash on 18 AUGUST 45 was due to one of the airscrews being damaged when the plane was taking off. B1269 carried with him the wooden box containing the ashes of Bose, the two photographs of Bose taken on the 21st Aug 45, three photographs of the wrecked planes and a rectangular wrist gold watch with a leather strap.

Note 1:- B1269 explains that this watch was made over to him on 28 Aug 45 by one of the Japanese Mos who had attended Bose at the Taihoku hospital. It may be remarked here, that this watch has since found its way to S.C. Bose's brother Sarat Chandra Bose in Calcutta, and that B 1269 admits that two days after his arrival at Delhi he secretly gave this watch to Capt Shah Nawaz (B1043).

Note 2: B1269 states that no photograph of Bose's dead face was taken as the face was badly burned and made grotesque by the ointments etc which had been applied to his skin by the Japanese doctors.

24 . AT TOKYO.

4 Sep 45.

On arrival at Fukuoka aerodrome B1269 was taken to a Japanese hotel where he spent the night.

6 Sep 45

Left Fukuoka by plane about noon and reached an aerodrome (name not known) at 1500 hrs. At Fukuoka Lt Col. SAKAMAKI separated from B1269, as he stated he intended to travel by train from there to Tokyo. Before parting, SAKAMAKI took charge of the box containing the ashes of Bose as both hands of B 1269 were bandaged as a result of burns.

6 Sep 45.

From the aerodrome on the mainland (name not known) B1269 reached Tokyo by train, where he was met at the railway station by a young Japanese Officer. From the railway station B 1269 was taken to the house of one of his fellow Japanese passengers, and later that evening moved to the house of Ramnurti, the Chairman of the I.I.L. Tokyo. B 1269 explained to Ramnurti in the presence of Mrs. Ramnurti (a Japanese) and 2 or 3 Indian students who were training in the Tokyo Military Academy, the circumstances of Bose's death. Shortly before B 1269 arrived in Ramnurti's house, the box containing the ashes of Bose had reached there. That night B 1269 shifted to the house of Mrs. Sahai where he again met S.A. Iyer, who explained that he (Iyer) had left Saigon on the 19 or 20 Aug alone, as plane accommodation could not be arranged for the rest of Bose's party.

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Note:- B1269 is unable to give any information regarding the subsequent movements of the following 4 men who were left behind in Saigon:-

- (1) Capt (Col) Gulzara Singh.
- (2) Capt (Maj) Pritam Singh.
- (3) Deb Nath Das.
- (4) Civ (Col) Hassan).

While in the house of Mrs Sahi several Indian students of the Military Academy (whose names B1269 does not recollect) and also Rammurti visited B1269. The same Japanese Military officer who met B 1269 at Tokyo Railway Station, questioned B1269 in detail regarding the accident at Taihoku. This same officer also took charge of the two photographs of Bose in a coffin, which B1269 had up to then been carrying with him. B1269 had up to then been carrying with him. B1269 states that these photographs had been shown by him to Rammurti, Mrs Sahai and S.A. Iyer. In)

9 Sep 45. B1269 shifted to another house where he was joined two days later by S.A.Iyer. B1269 while living in this house with Iyer was once interrogated by an American officer and by Lt Col. Figgess. (An Indian Army officer on the British Section attached to Gen MacArthur's H.Q) . B1269 states that both he and S.A. Iyer visited Atami, Nikko, Hakone and Ikaio all small towns on the main island for health and recreation purposes. There were no Indians living at these places and B1269 disclaims that he or Iyer went to these places on any kind of mission.

Confidential
310/Bl269
C.S.D.I.C.
Red Fort, Delhi
7 January 1946.

Comb. Sec.

Sub:- Capt. Habib ur Rehman (Bl269)
C.S.D.I.C. 2 Sec. Report 1156.

1. It is not known at C.S.D.I.C. whether Comb. Sec. or D.I.B. have any grounds of their own for any support of a current belief (recently given public utterance by Mr. Gandhi) that S.C. Bose is still alive.

2. The facts of the crash at Taihoku as given in C.S.D.I.C. Report No. 1156 are considered to establish beyond any doubt that S.C. Bose did in fact succumb to injuries and burns received in the crash. (In)

3. Factors in proof of the above are:-

(a) Bl269 himself kept a personal vigil besides S.C. Bose's corpse for 2 days before the coffin lid was nailed down in preparation for the removal of the coffin to Singapore.

(b) Bl269 himself saw Bose's corpse taken from the coffin and placed inside the furnace of the crematorium.

4. Bl269 is sincerely emphatic about his utter conviction that S.C. Bose is dead beyond any doubt. He is painfully aware of the doubts which the strange coincidence of the reported death and the end of the war must have given to many minds. Bl269 has expressed some baffled exasperation at current rumours and at Gandhi's statement to the effect that Bose is alive and in hiding. He seeks but an opportunity to convince all minds of the baseless nature of these rumours, which he classifies as wishful hopes and the refusal to contemplate the thought of S.C. Bose dead. The Public has seen Bose make one miraculous re-appearance before (after his escape from India and re-appearance in Germany), and tends to believe that history will repeat itself. 3.

5. The opinion at C.S.D.I.C. is that Bl269 is sincere in his protestations that Bose is dead. The alternative theory would be that Bl269 has himself been made the dupe by the Japanese of an exceedingly well planned and cleverly laid conspiracy. It is however considered that the factors mentioned in Para 3 above practically rule out the possibility of this.

6. For final and positive proof, a British Investigation Team would need to be sent up to Formosa from Saigon and Hanoi to examine the hospital records at Taihoku. As British Forces are now leaving F.I.C. it would appear that the despatch of such a Team if considered necessary must be regarded as urgent.

3d/- *R.D. Anderson*
Lt. Col.
Offg. Comdt. C.S.D.I.C.

Copy To:- I.B. Govt. of India.

G.S.I.(a)

G.S.I.(b)

S. Sec. Ref:- your Interrogation of Capts. Gulzara Singh and Pritam Singh, Deb Nath and Abid Hassan.

SECRET.

ANV HQ SEATIC
MIAN SACSEA
SINGAPORE

To : The Superintendent, C.I.C.B., HQ SACSEA 7 Mar 46

SUBJECT: Interrogation of Col. YANO MURAJI, CC,
2 Staff Section Southern Area Army.

Ref: 1405/35.

1. Further to conversation Lt-Col HARRISON/
Maj WATKINS of 6 Mar 46, Col YANO has been interrogated
regarding para 12 of his written statement on the
activities in which he was personally involved in
No. 2 Staff Sec, Southern Area Army (Our Interrogation
Report Ref: 1403/18 of 25 Feb 46 refers).

2. In his written statement Col YANO said
that a signal was received in early Jun 45 from GHQ,
TOKYO that SUBHAS CHANDRA BOSE had better remain
inside the Southern Area with the Japanese forces and
NOT proceed to SHANGHAI, JAPAN or SOVIET RUSSIA to
carry on the fight for Indian independence. Col YANO
wrote that he believed that this GHQ signal "did NOT
represent the opinion of the Japanese Government.

5. Asked to elucidate this statement Col.
YANO gave the following explanation :-

SUBHAS CHANDRA BOSE in interviews with CC
HIKARI Kidan suggested that he should go to RUSSIA,
SHANGHAI or JAPAN. This request was signalled to
General Staff HQ TOKYO.

As the answer came back within 3 or 4 days,
Col YANO did NOT think it at all possible that the
matter could have been brought up before the Supreme
War Council or the Cabinet in such a short time,
having had personal experience in TOKYO of the length
of time it takes to settle such business. He thinks,
however, that had it gone before the Supreme War
Council the answer would have been much the same on
account of the predominating Army influence. Col YANO
felt, however, that General opinion outside Army
circles would have been in favour of withdrawing
SUBHAS CHANDRA BOSE from the Southern Regions.

- (a) because of admiration for his integrity
as an idealist,.
- (b) because they pitied his plight if he was
left to fight to the end in the Southern
Regions.
- (c) because they realised that he would be
more harshly treated than anyone else if
he fell into allied hands.

Interrogated by:- Lt A.J. Newington.

3d/- ~~XXXXXXXXXX~~
Major
Officer Commanding.
(E.A. Heaslett).

Copy to :
S Section CSDIC (I)
Main SEATIC, DELHI.

contd...

56
SI/12/180.
S Section CSDIC(I).
9 March 46.

Comdt CSDIC
Red Fort, Delhi.

The above is forwarded for information.

Sd/-
Major,
Comd S Section, CSDIC(I).













V.P.BHATIA
UNDER SECRETARY

S.M.S
SECRET/MOST IMMEDIATE

गृह मंत्रालय
भारत सरकार
नार्थ ब्लॉक, नई दिल्ली-110001
MINISTRY OF HOME AFFAIRS
GOVERNMENT OF INDIA
NORTH BLOCK, NEW DELHI-110001

D.O.No. I/12014/13/2000-IS (D.III)

Dated 8th January 2001

Dear *Shri Nautiyal.*

Kindly refer to your D.O.letter No. IV/8(29)/2000-19 dated 3rd January 2001 regarding availability/non-availability of records pertaining to Netaji/INA.

2. It has been indicated therein that some papers were given to the Shah Nawaz Enquiry Committee vide IB letter No. 1/INA/54 dated 22.06.1956. A perusal of these records indicates that these are marked as Top Secret/Secret/Confidential. It may kindly be indicated as to whether these records were made available to the Khosla Commission of Inquiry also and if so, these documents were down graded or declassified before submission thereof to the Khosla Commission. If no records were made available to the Khosla Commission, it may please be indicated as to whether these records still continue to be classified or have been declassified and if still classified, whether there is any objection to these documents being made available to the Justice Mukherjee Commission of Inquiry.

3. This also refers to my telephonic discussion. A response in the matter by tomorrow would be appreciated since we have to file an affidavit before the Commission within this week.

With regards,

Yours sincerely

[Signature]
(V.P.BHATIA)

Out To day
Please inu
in
8/1
15/1/01
To me
13/1/01
PB 11
8/1/01

Shri P.P.Nautiyal
Addl. Deputy Director
Intelligence Bureau
New Delhi

5. no. 6

SECRET
MOST IMMEDIATE

33



सत्यमेव जयते

P.P. NAUTIYAL
ADDL. DEPUTY DIRECTOR

No. IV/8(29)/2000-

आसूचना ब्यूरो

गृह मंत्रालय

भारत सरकार

INTELLIGENCE BUREAU

(Ministry of Home Affairs)

Government of India

नई दिल्ली, दिनांक 20
New Delhi, dated 10/1/2001

Dear Shri Bhatia,

Please refer to your DO No.I/12014/13/2000-IS(D.III) dated 8.1.2001, regarding availability/non-availability of records pertaining to Netaji/INA.

2. We have not come across any record to indicate that the documents given to Shah Nawaz Enquiry Committee in 1956, were also made available to the Khosla Commission of Enquiry. There is no objection to these documents being made available to the MK Mukherjee Commission of Enquiry. However, public disclosure of these documents may lead to avoidable controversies. It is, therefore, suggested that the entire set of documents may remain classified as 'SECRET' and access to them restricted the Commission only.

With regards

Yours sincerely

Nautilyal

(PP Nautilyal)

hm
10/1

To me

Shri VP Bhatia
Under Secretary,
IS Division (D.III)
MHA (Govt of India)
New Delhi.

S m.7

MOST IMMEDIATE.

By Special Messenger ^{C34}

No.915/11/C/2/2000-POL
PRIME MINISTER'S OFFICE

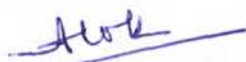
New Delhi
Dt. 15.01.01

OFFICE MEMORANDUM

**Subject: Justice Mukherjee Commission of Inquiry –
Regarding.**

The undersigned is directed to refer to MHA O.M. No.I-12014/13/2000-IS(D.III) dated 11.1.2001 on the subject noted above and to state that as no specific date has been indicated for the letter of General Chiang-kai-Sheikh to Pt. Nehru and whether it was before or after 15.8.1947. However, our effort to locate files relating to the incident of alleged Air crash at Taipei has not been successful.

The other document in question i.e. the report dated 31/12/1945 of Shri B.C. Chakravarty also could not be located in this office.


(Alok Mukhopadhyay)
Under Secretary

(Shri V.P. Bhatia)
Under Secretary, IS(D.III)
Ministry of Home Affairs,
North Block,
New Delhi.

तार : राष्ट्रीय अभिलेख
Grams : ARCHEION



Krishna Dey
Assistant Director of Archives
Tel. No. 3387509
Fax No. 3384127

BY SPECIAL MESSENGER

राष्ट्रीय अभिलेखागार
भारत सरकार
जनपथ, नई दिल्ली-११०००९

NATIONAL ARCHIVES,
GOVERNMENT OF INDIA,
JANPATH NEW DELHI-110001

15 JAN 2001
Dated the.....

D.O. No. F. 9-2(19)/99-PA

Dear Shri Bhatia,

Kindly refer to your letter No. 1-1 2014/13/2000-IS(D-III) dated 5 January 2001 seeking information about two documents at (i) and (ii) in your aforesaid letter under reference. The Records Division of National Archives could not find any reference regarding (i) and (ii) above in National Archives of India holding either in the Foreign/Ministry of External Affairs, Ministry of Home Affairs, or cabinet Secretariat records available with us.

You may kindly check up the position regarding (i) above from the Nehru Memorial Museum, New Delhi since they are the custodian of Nehru Papers.

With kind regards,

Yours sincerely,

K. Dey.
(Krishna Dey)

Shri V. P. Bhatia,
Under Secretary,
IS(D-III), Room No. 123,
Ministry of Home Affairs,
North Block,
New Delhi.

त. : राष्ट्रीय अभिलेख
Grams : ARCHEION



S.M.R. BAQAR
Deputy Director of Archives

Tele No.: 3389027
Fax No.: 3384127

S.M.9

By Hand

राष्ट्रीय अभिलेखागार
भारत सरकार
जनपथ, नई दिल्ली-110009
NATIONAL ARCHIVES
GOVERNMENT OF INDIA
JANPATH, NEW DELHI-110001

15 JAN 2001

Dated the

D.O.No.:9-2(19)99 PA

Bear Shri Sengupta,

Kindly refer to your letter No.JMCI/Meeting-Proceedings (Follow up)/48(Vol.II)/439(7) dated 3rd January 2001 forwarding therewith a copy of the proceedings of Justice Mukherjee Commission of Inquiry dated 22nd December 2000. In this connection I am to inform you that no action is pending on enclosed proceedings on the part of National Archives of India. However, from time to time xerox copies of the files/information as and when required by Commission have been supplied by National Archives of India promptly.

With kind regards,

Yours sincerely,

sd-
(S.M.R. BAQAR)

Shri P.K.Sengupta,
Secretary,
Justice Mukherjee Commission
of Inquiry,
B Block, IIIrd floor, 11/A,
Mirza Ghalib Street,
Kolkata-700 087

Copy to: (1) Shri Tarakeshwar Pal, Advocate, Purana Sasi, 33 Ash
Avenue, Opposite Navanir, Kolkata-700 040
(2) Shri V.P.Bhatia, Under Secretary, IS(D-III) Room No. 12
Ministry of Home Affairs, North Block, New Delhi.

(S.M.R. BAQAR)

5 no. 10

(37)

Most Immediate
By Special Messenger

No.I/12014/13/2000-IS(D.III)

Government of India
Ministry of Home Affairs
IS-I Division

.....
New Delhi, the 19th January, 2001.

To

The Director,
Nehru Memorial Museum and Library,
Teen Murti House,
New Delhi-110 011.

3773296 / Sh. Keyanish
3015333

Subject: **Justice Mukherjee Commission of Inquiry- regarding.**

Sir,

I am directed to say that Government of India has appointed a Commission of Inquiry consisting of Mr. Justice M.K. Mukherjee, a retired Judge of the Supreme Court of India to inquire into all the facts and circumstances related to the disappearance of Netaji Subhas Chandra Bose in 1945 and subsequent developments connected therewith. The Commission in its sitting on 28.9.2000 has inter alia directed this Ministry for production of the following document:-

“A xerox copy of the letter said to be sent by General Chiang-kai-Shek to Pandit Jawaharlal Nehru about an inquiry reportedly made by the Government of Nationalist China at Taipei regarding the alleged plane-crash involving Netaji along with a xerox copy of the said inquiry Report.

2. We have made efforts to search this document in the records of this Ministry but could not lay our hands on any such document. We are required to file a supplementary affidavit relating inter alia to this document before the Commission. Accordingly, the matter was taken up with the National Archives who have advised that the position regarding this document may be checked up from the Nehru Memorial Museum since they are the custodian of Nehru papers.

ISSW
Ms. 93
1911/01

3. In view of the above position, I am directed to request you to kindly make efforts to locate the letter under reference sent by General Chiang-kai-Shek to Pandit Jawaharlal Nehru and to provide a copy thereof to this Ministry for making the same available to the Commission. Since our affidavit is to be filed by 31st January, 2001, it is requested that the letter under reference as also a copy of the inquiry Report referred to above may be provided to this Ministry at the earliest and in any case latest by 22.1.2001.

Yours faithfully,



(V.P. BHATIA)

Under Secretary to the Govt. of India

IMMEDIATE/BY HAND *Se. m. II*

39

डॉ. ओम प्रकाश केजरीवाल

निदेशक

A. O. P. KEJARIWAL

Director



नेहरू स्मारक संग्रहालय एवं पुस्तकालय

तीन मूर्ति भवन, नई दिल्ली - 110 011

Nehru Memorial Museum & Library

Teen Murti House, New Delhi - 110 011
Grams : NEHRUMUSUM, Phone : 3015333
Fax : 91-11-3793296

No.FVII/Gen/2001-MSS

January 23, 2001

Dear Shri Bhatia,

I write this to you in response to your letter No.1/12014/13/2000-IS(D.III) dated 19 January 2001 regarding supply of a zerox copy of the letter sent by General Chiang - Kai - Sheik to Pandit Jawaharlal Nehru about an inquiry reportedly made by the Government of Nationalist China in connection with the alleged plane-crash involving Netaji in 1945.

We have looked through the papers of Jawaharlal Nehru housed in this Institution but the aforesaid letter is not available with us.

Yours sincerely,

(O P Kejariwal)

Shri V P Bhatia
Under Secretary D IV
Government of India
Ministry of Home Affairs, *North Block,*
IS - 1 Division
New Delhi



S. no. 12

विदेश मंत्रालय, नई दिल्ली
MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI

MOST IMMEDIATE

40

**JAYANT PRASAD
JOINT SECRETARY(AMS & CNV)**

No. 25/4/NGO-Vol.VI

January 24, 2001

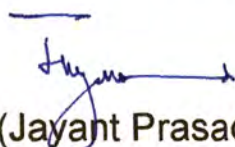
29

Dear Shri Bhatia

Please refer O.M.No. I-12014/13/2000-IS(D.III) dated 11.01.2001 regarding Justice Mukherjee Commission of Inquiry.

We have gone through our files pertaining to Netaji Subhas Chandra Bose but have not been able to lay our hands on any of the two documents mentioned in your O.M. under reference.

Your sincerely,


(Jayant Prasad)

**Shri V.P.Bhatia,
Under Secretary(IS)
Ministry of Home Affairs
New Delhi.**

No. I-12014/13/2000-IS(D.III)
 MINISTRY OF HOME AFFAIRS
 IS DIVISION (US D.IV)

(4)

* * * *

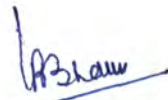
As US IS(WR) is aware, about 250 files pertaining to Khosla Commission dealing with alleged disappearance of Netaji Subhas Chandra Bose were available for review. As directed by JS(IS-I), US IS(WR) has glanced through the contents of these files with the assistance of Shri Kanishka, Assistant, D.III Desk. Since a mention has to be made in the proposed supplementary affidavit to be filed before Justice Mukherjee Commission of Inquiry, it is requested that a list of these files may be got prepared indicating briefly the subject matter and the same sent to me with a covering note indicating that these files mainly pertain to administrative/house keeping aspects and do not contain anything with the substantive working of the Khosla Commission.

2. We have also to mention in the said supplementary affidavit about the following documents :-

- (i) A xerox copy of the letter said to be sent by General Chiang-kai-Sheikh to Pandit Jawaharlal Nehru about an inquiry reportedly made by the Government of Nationalist China at Taipei regarding the alleged plane-crash involving Netaji alongwith a xerox copy of the said inquiry Report; and
- (ii) A xerox copy of the report dated 31.12.1945 of Shri B.C. Chakravarty (Witness No. 168 before Justice Khosla Commission of Inquiry) on alleged air-crash and alleged death of Netaji Subhas Chandra Bose which was counter-signed by Col. Stevenson and sent to the CSDIC as referred to in the published report of the Commission.

It is requested that it may be specifically stated while scrutinising these 250 files that these two letters/reports are available or not.

3. A report on the above lines may please be sent to me at the earliest. This was discussed with JS(IS-I) today morning.



(V.P. BHATIA)
 Under Secretary (D.IV)
 3.1.2001

US IS(WR)

the documents mentioned at (i) & (ii) above were not found in the files scrutinized by me. I have already sent a report.

31/11

US D.IV

03/2001/IS(WR)
 4/1/2001

BY FAX

S. no. 14

By Speed Post

(FAX NO. 033-2162765)

SANGITA GAIROLA
JOINT SECRETARY

GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

D.O.No. I/12014/13/2000-IS(D.III) New Delhi, the 30th January, 2001.

Dear Shri Sengupta,

Pursuant to the directions contained in the proceedings of Justice Mukherjee Commission of Inquiry particularly with reference to those dated 23.3.2000 and 28.9.2000, this Ministry is required to file an affidavit stating the position about the documents/reports desired to be produced before the Commission. We have already made efforts in this direction and our efforts are still continuing. In this process, we have consulted various other Ministries/Departments viz. Ministry of External Affairs, Prime Minister's Office, National Archives and Nehru Memorial Museum and Library. These efforts are likely to take some more time and as a result, we are not finding it possible to file our affidavit by 31st January, 2001.

2. I shall be grateful if time is granted upto 28.2.2001 to enable us to complete our efforts and file affidavit on behalf of this Ministry. Accordingly, our request may kindly be placed before Hon'ble Chairman for his kind consideration.

With regards,

Yours sincerely,

(Sangita Gairola)

Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block (3rd Floor),
11/A Mirza Ghalib Street,
KOLKATA - 700 087.

By Speed Post
Pl. send

lm
30/1/2001

1. Shri
PB 7
30/1/01

IS/KR)

C43

MESSAGE CONFIRMATION

JAN-30-01 15:00

FAX NUMBER :

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NAME :

FAX NUMBER : 0332162765

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S. no. 15

61

Most Immediate
Time Bound

No.I/12014/13/2000-IS D.III (Part)
Government of India
Ministry of Home Affairs
IS-I Division

As you may be aware, Khosla Commission of Inquiry to inquire into the disappearance of Netaji Subhas Chandra Bose was appointed by the Ministry of Home Affairs in the year 1970 and had submitted its report in 1974. Justice Mukherjee Commission of Inquiry has asked this Ministry to provide records relating to Khosla Commission's proceedings. Whatever records were earlier obtained from the MHA records room has already been made available to the Commission but the files/records pertaining to Khosla Commission's proceedings was not available in those files.

2. Since the position about availability of Khosla Commission's proceedings has to be included in the Affidavit to be filed by this Ministry before the Commission, it is requested that a thorough search may be made in the records room of Ministry of Home Affairs and the position about availability or otherwise of the Khosla Commission's proceedings communicated to us.

9/6 (V.P. BHATIA)
US(D.IV)
02.02.2001
05

Deputy Secretary (Cash) (Shri Gurmel Singh), MHA.

Copy to Assistant Director of Archives (Krishna Dey), National Archives, Government of India, Janpath, New Delhi-110 001 for similar action and with the request to indicate whether any records/files pertaining to Khosla Commission's proceedings are available with them.

12/16
6/2

Please inform to both
SH

15/08/01
TO me

(45)

Most Immediate
Out Today

No.I.12014/13/2000-IS(D.III)
Government of India
Ministry of Home Affairs
IS-I Division

New Delhi, the 8th February, 2001.

OFFICE MEMORANDUM

Subject:- Justice Mukherjee Commission of Inquiry-regarding.

The undersigned is directed to say that in the proceedings in its sitting on 28.9.2000, the Commission inter alia directed production of the following documents:-

- i) A xerox copy of the letter said to be sent by General Chiang-kai-Sheikh to Pandit Jawaharlal Nehru about an inquiry reportedly made by the Government of Nationalist China at Taipei regarding the alleged plane-crash involving Netaji along with a xerox copy of the said inquiry Report; and
- ii) A xerox copy of the report dated 31.12.1945 of Shri B.C. Chakravarty (Witness No.168 before Justice Khosla Commission of Inquiry) on alleged air-crash and alleged death of Netaji Subhas Chandra Bose which was countersigned by Col. Stevenson and sent to the CSDIC as referred to in the published report of the Commission.

2. We have made efforts to search these documents in the records of this Ministry but could not lay our hands on any such document. We are required to file a supplementary affidavit relating to these two documents before the Commission. Before any committal position is stated in the supplementary affidavit, it is requested that efforts may please be made in the Ministry of Defence to see if the letter/documents mentioned above are available in that Ministry.

3. Since the supplementary affidavit is to be filed at a very early date, it is requested that the result of the efforts to locate these two documents in the Ministry of Defence may please be communicated to this Ministry at the earliest.

Ministry of Defence,
(Shri G.B. Singh, Director (History Division),
3/West Block-8, Wing-I, R.K. Puram,
New Delhi.

(V.P. BHATIA)
Under Secretary to the Govt. of India

Please imm.

Recd at 3.20 PM

15/2/01
To Mr

950/IS(15-1)/2001

2/2/2001

354/1505 DIV/2001
05/09

S. m. 17

SECRET
MOST IMMEDIATE

45



सत्यमेव जयते

Sanjay Sinha
Deputy Director

DO No IV/8(29)/2000-182

आसूचना ब्यूरो

गृह मंत्रालय

भारत सरकार

INTELLIGENCE BUREAU

(Ministry of Home Affairs)

Government of India

नई दिल्ली, दिनांक 20
New Delhi, dated 2.2.2001

Dear Smt Gairola,

Kindly refer to your telecon on Jan 30 in connection with the availability of records pertaining to the disappearance of Netaji Subash Chandra Bose.

2. In continuation of our earlier DO No. IV/8(29)/2000-1873 dated 7.11.2000 and the DO of even number dated 10.1.2001, it is reiterated that we have nothing relevant in connection with the subject except the papers given to the Netaji Enquiry Committee headed by Shah Nawaz Khan in 1956. This also is in the form of micro-film, a transcribed copy of which has been sent to MHA vide our DO of even number dated 3.1.2001. We have no objection if these papers are given to the Justice Mukherjee Commission of Enquiry if it is so desired by the Commission. We also have no objection if these papers are declassified.

With regards,

Yours Sincerely,

Sanjay Sinha
2.2.01

(Sanjay Sinha)

Smt Sangita Gairola,
Joint Secretary (IS-I),
Ministry of Home Affairs,
Government of India,
New Delhi.

1113/SS(15 I)md
S.no/8
9-2
44/1500/2001
09/2

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700 087

Phone:

Chairman - 216-2835
Secretary - 216-2767
Officer on
Special Duty - 216-2765
Office - 216-2766/68

No. JMCI/ Meeting-Proceedings
(Follow-up)/48 (Vol-II)/495

Calcutta, dated, the 31.01.2001

From : Shri P. K. Sengupta, WBHJS (Retd.)
Secretary

To : Ms. Sangeeta Gairola, IAS.
Joint Secretary (Internal Security)
Ministry of Home Affairs
Government of India, North Block
New Delhi - 110001.

Madam,

I am directed to refer to your D.O.No.1/12014/13/
2000-IS (D.III) dated 30.1.2001 and to state that the
Commission has been pleased to grant time upto 28.2.2001 to
comply with the orders/directions of the Commission as
mentioned in Para VI of its proceedings dated 22.12.2000
(Sixth) in terms of your prayer as contained in your aforesaid
D.O. dated 30.01.2001.

Yours faithfully,

(P. K. Sengupta)
Secretary

S.m 19

36/2001-Record
7/2

Most Immediate
Time Bound

No.I/12014/13/2000-IS D.III (Part)
Government of India
Ministry of Home Affairs
IS-I Division

As you may be aware, Khosla Commission of Inquiry to inquire into the disappearance of Netaji Subhas Chandra Bose was appointed by the Ministry of Home Affairs in the year 1970 and had submitted its report in 1974. Justice Mukherjee Commission of Inquiry has asked this Ministry to provide records relating to Khosla Commission's proceedings. Whatever records were earlier obtained from the MHA records room has already been made available to the Commission but the files/records pertaining to Khosla Commission's proceedings was not available in those files.

2. Since the position about availability of Khosla Commission's proceedings has to be included in the Affidavit to be filed by this Ministry before the Commission, it is requested that a thorough search may be made in the records room of Ministry of Home Affairs and the position about availability or otherwise of the Khosla Commission's proceedings communicated to us.

V.P. BHATIA
US(D.IV)
02.02.2001
85

Deputy Secretary (Cash) (Shri Gurmel Singh), MHA.

Amnotat w
US (A.111)
6/2

A/ above refers. Pl. check the records personally and report the facts by today evening positively.
7/2/02

Sh. Sachdeva
RR(S)

We search all the records available in Record Section. But no files/papers are available relating to Khosla Commission's.

S.O
Dy. Secy (ES4)
US(D.IV)

DRO/So. Ad 100 m 29/02

Sh. Sachdeva
8/2/2001
Record Incharge

F.No. 9-2(19)-1999-PA
Government of India,
National Archives of India,
Janpath, New Delhi-1, the

15 FEB 2001

To

Shri V.P. Bhatia,
US(D. IV)
Ministry of Home Affairs,
IS-I Division, Room No. 123
North Block
New Delhi.

Sir,

Please refer to your letter No. I/12014/13/2000 IS D. III (Part) dated 2.2.2001 addressed to Sh. Gurmeet Singh, Deputy Secretary (Cash) Ministry of Home Affairs and copy endorsed to this Deptt. In this connection it may be informed you that a thorough search has been made in the record holdings both in Public as well Private, but no files/records pertaining to Khosla Commission of Inquiry on the disappearance of Netaji Subhas Chandra Bose could be located.

Yours faithfully,

K. Dey.
(Krishna Dey)
Assistant Director of Archives
Government of India.
gan

lm
19/2

To M

MOST IMMEDIATE/REGD

Tele:6102067

Ministry of Defence
History Division
West Block No.8, Wing 1,
R.K. Puram,
New Delhi-110066

No.2191/NIC/H/99

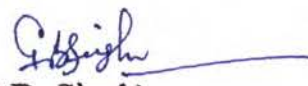
14 Feb 2001

Shri V.P. Bhatia
Under Secretary
Ministry of Home Affairs
IS-I Division
North Block,
New Delhi-110001

Subject: Justice Mukherjee Commission of Inquiry – regarding.

Reference MHA(IS I Division) O M No.12014/13/2000 IS (D-III),
dated 08 February 2001 on the above subject.

2. It is stated that all the files/records/documents pertaining to INA and Netaji Subhas Chandra Bose, held in the Ministry of Defence, History Division were declassified and transferred on 26 August, 1997 to National Archives of India, Ministry of Human Resource Development, for permanent retention and public use there. You may, therefore, refer the matter to the Director General, National Archives of Indian, Janpath, New Delhi-110001 to find out the position of documents mentioned in Para 1(i) & (ii) of your letter under reference.


(G.B. Singh)
Director

16
19/12

8/10/01

(5)

2. Since the position about availability of Khosla Commission's proceedings has to be included in the Affidavit to be filed by this Ministry before the Commission, it is requested that a thorough search may be made in the records room of Ministry of Home Affairs and the position about availability or otherwise of the Khosla Commission's proceedings communicated to us.

Deputy Secretary (Cash) (Shri Gurmeh Singh), MHA.

Copy to Assistant Director of Archives (Krishna Dey), National Archives, Government of India, Janpath, New Delhi-110 001 for similar action and with the request to indicate whether any records/files pertaining to Khosla Commission's proceedings are available with them.

Ordinary Record Section

We search all the record which is available in this section
But no files / paper are available related to Khosla commission.
No file pertaining to Khosla Commission
was found in Ordinary Record Room.

Sam
19/2/01
(Record section ordinary)

~~Army~~
19/2/01
(Record section ordinary)

S.O (Ad-I(L))

US D(IV)

5-m 23

52

Secret/Most Immediate

Government of India
Ministry of Home Affairs
IS-I Division

Subject: Justice Mukherjee Commission of Inquiry-filing of Affidavit-regarding.

Reference is invited to Cabinet Secretariat's I.D. Note No.281/12/1/2000-TS dated 10.11.2000. I am enclosing herewith draft affidavit of Smt. Sangita Gairola, Joint Secretary(IS-I), MHA to be filed before the Hon'ble Justice Mukherjee Commission of Inquiry at Calcutta on or before 28th Feb, 2001. This draft affidavit is sent for your necessary perusal as desired in para 3 of your above ID Note. Since the matter is very urgent and time bound, you are requested to return the affidavit duly vetted by today evening or latest by 11 A.M. of 27th February, 2001 failing which we will go ahead with filing of the enclosed draft affidavit before the Hon'ble Justice Mukherjee Commission of Inquiry.


(MUKESH MITTAL)
Deputy Secretary (IS-I)

Deputy Secretary (Shri Rakesh Sarwal), Cabinet Secretariat, Rashtrapati Bhavan, New Delhi.

MHA ID Note No.I-12014/13/2000-IS(D.III) Dated, the 26th Feb., 2001.

Copy also forwarded to Shri M.Dinakaran, Under Secretary, Cabinet Secretariat, Rashtrapati Bhavan, New Delhi for information and similar action.

Out today
Pl. circ
26/2
W.R.

MS 94
26/2

SECRET/MOST IMMEDIATE

**CABINET SECRETARIAT
RASHTRAPATI BHAVAN**

153

....

Subject: Justice Mukherjee Commission of Inquiry - filing of affidavit - regarding.

Ref: MHA I.D. Note No. I-12014/13/2000-IS(D.III) dated 26.2.2001.

....

Para 3 of the affidavit may be redrafted^{to} read as follows:

“In the affidavit filed by Shri A.K. Paitandy, Director (IS-I) in the Ministry of Home Affairs on 20.06.2000, it was stated that this Ministry is filing this affidavit on behalf of inter alia the following i.e. Cabinet Secretariat and Intelligence Bureau and it was also affirmed and stated therein that “there are reportedly no files/papers concerning Netaji/INA in their possession”. The Cabinet Secretariat had by their communication dated 14.9.2000 clarified that they had earlier informed the MHA that as far as Cabinet Secretariat were concerned, no letter/documents as mentioned in the Order of Justice Mukherjee Commission dated 23.3.2000 were available with them. However, in respect of availability of any records pertaining to Netaji/INA they have informed this Ministry that they have the following files/documents:-

(i) to (ix)”

2. With the above mentioned changes, the draft affidavit is vetted by this Secretariat.


27.2.2001

(Rakesh Sarwal)
Deputy Secretary

MHA (Shri Mukesh Mittal, Deputy Secretary (IS-I)

Cabinet Sectt. ID Note No. 281/12/1/2000-TS dated 27.2.2001

5 MV-25
1/7
(54)
URGENT

FAX MESSAGE
(BY FAX – 0091-033-216-2765)

No.-12014/13/2000-IS (D.III)

**Government of India
Ministry of Home Affairs**

New Delhi, the 27th February, 2001

To

**SHRI P.K.SENGUPTA, SECRETARY
JUSTICE MUKHERJEE COMMISSION OF INQUIRY
“B” BLOCK (THIRD FLOOR)
11/A MIRZA GHALIB STREET,
CALCUTTA-87**

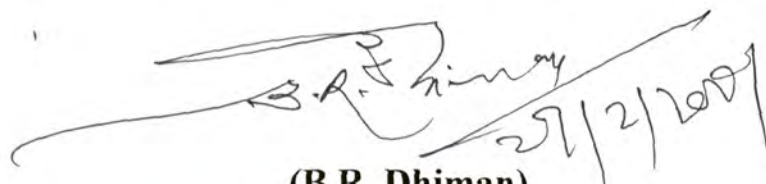
**Subject:- Compliance with the Orders/Directions of the
Justice Mukherjee Commission of Inquiry.**

Sir,

Please find enclosed an Affidavit duly sworn in by Smt. Sangita Gairola, Joint Secretary (Internal Security-I) to be filed before the Hon'ble Justice Mukherjee Commission of Inquiry at Calcutta in the matter of compliance with the Orders/Directions of the Commission as passed in its proceedings at Calcutta.

2. Please acknowledge receipt by return fax at Fax Nos. 301 5750 or at 301 7763.

Yours faithfully,

*To place in
The relevant
Folder.
T.V.
28/02/01.*


(B.R. Dhiman)

Under Secretary to the Govt. of India

Encl: As above

US(DIV)

20/7/00
55

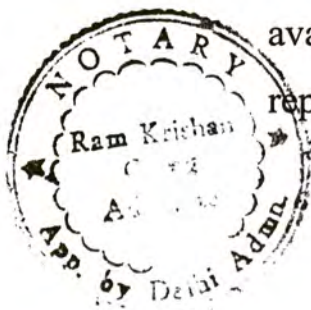
**BEFORE THE HON'BLE JUSTICE MUKHERJEE COMMISSION
OF INQUIRY AT CALCUTTA.**

**IN THE MATTER OF COMPLIANCE WITH THE ORDERS/
DIRECTIONS OF THE COMMISSION AS PASSED IN ITS
PROCEEDINGS AT CALCUTTA:**

AFFIDAVIT

I, Smt. Sangita Gairola working as Joint Secretary (Internal Security-I) in the Ministry of Home Affairs do solemnly affirm and state as under: -

1. The Hon'ble Commission in its sitting held on 28.9.2000 directed vide para 3 (b) (iii) of its proceedings, that the following documents should be produced before it: - (i) a xerox copy of the letter said to be sent by General Chiang-Kai-Sheik to Pandit Jawahar Lal Nehru about an Inquiry reportedly made by the Government of Nationalist China at Taipei regarding the alleged plane-crash involving Netaji along with a xerox copy of said Inquiry Report and (ii) a xerox copy of the Report dated 31.12.1945 of Shri B.C. Chakraborty (witness No.168 before Justice Khosla Commission of Inquiry) on alleged air-crash, and alleged death of Netaji Subhas Chandra Bose which was countersigned by Col. Stevenson and sent to the Combined Services Detailed Intelligence Centre (CSDIC) as referred to in the published report of the Commission.
2. The position with regard to the availability of the above said letter/reports has been checked up with reference to the records available in this Ministry. However, both the letter and the reports directed to be produced are not available in the Ministry



of Home Affairs. Their availability has also been checked up with the National Archives, Prime Minister's Office, Ministry of External Affairs, Ministry of Defence and Nehru Memorial Museum and Library. According to the information received from them, the letter/reports desired by the Commission are not available with them either. Hence, it is regretted that these cannot be produced before the Hon'ble Commission. However, an extract from the Report dated 31.12.1945 which was provided by Intelligence Bureau to the Shah Nawaz Inquiry Committee can be provided to the Hon'ble Commission.

3. Cabinet Secretariat has now informed this Ministry that they have the following files/documents:-

- 11/12/14/20/9315211*
got privilege
- x i) F.No.10/22/CF-68 regarding issue of commemorative stamps/ coins of Netaji Subhas Chandra Bose on 21.10.68 on the occasion of the silver jubilee of Azad Hind Government. *u/o Fin*
- ii) F.No.67/3/1/95-Cab Regarding proposal to bring the mortal remains of Netaji Subhas Chandra Bose from Japan to India.
- D* x iii) F.No.6/5/9/77-CF containing Cabinet decision on 17.9.77 regarding Motion in the Lok Sabha by Shri Samar Guha for a fresh inquiry into the disappearance of Netaji Subhas Chandra Bose. *11/12/14/9/77211*
File with Com
- P.M.D. info that it has been made out*
- iv) Meeting Pad No.62/1956 containing Cabinet decision on 9.9.56 regarding Report of the Netaji Subhas Chandra Bose Inquiry Committee.



x v) F.No.10/21/CF-68 containing Cabinet decision on 6.3.70 regarding fresh inquiry into the alleged death of Netaji Subhas Chandra Bose-Demand for.

29/48/69-PdP.
Not available
but C.D. is
available with
P.H. p. 250/69

x vi) F.No.6/1/6/74-CF containing Cabinet decision on 29.8.74 regarding the report of the one-man Commission of Inquiry into the disappearance of Netaji Subhas Chandra Bose.

31/2/74-PdP.
(D-II)
File with Comm.

vii) Cabinet note dated 1.9.69 on the subject 'Disappearance of Netaji Subhas Chandra Bose in 1945' and the minutes of the Cabinet meeting held on 5.9.69.

x viii) F.No.6/5/1/91-ST containing CCPA decision on 27.2.91 on dispute regarding ashes of Netaji Subhas Chandra Bose and also controversy about whether Netaji is dead or still alive.

1/12014/6/90
file with Comm.

ix) F.No.67/3/1/94-ST containing Core Group decision on controversy about Netaji's death.

Σ 1/2014/27/93-15D/II

4. Cabinet Secretariat further informed that the Commission had requested for photocopies of the documents mentioned at para 3 (iv) and (vii) above as Prime Minister's Office had informed that these documents have been weeded out and may be obtained from Cabinet Secretariat. Photocopies of these two documents were made available by the Cabinet Secretariat to the Commission on 28.8.2000. Further, except document at para 3 (i) above which has originated from Ministry of Finance, Department of Economic Affairs, the rest of the documents emanated from the Ministry of Home Affairs. Hence, Ministry of Home Affairs was required to examine the position with

Cal. Sect. informed
that 'x' has been submitted
to Commission



reference to these documents with a view to deciding whether they can be de-classified and made available to the Commission. Accordingly, the position with regard to these documents has been checked up and we have subsequently been able to locate the following files:-

- i) F.No.I/12014/9/77-D.III relating to 'No day yet named motion' regarding report No.74 of the Commission of Inquiry into the disappearance of Netaji Subhas Chandra Bose;
- ii) F.No.I/12014/6/90-IS D.III- dispute regarding ashes of Netaji Subhas Chandra Bose- bring these ashes to India- controversy whether Netaji still alive; and
- iii) F.No.31/2/74-Poll (D.III)- Netaji Inquiry Commission- follow-up action.

5. With reference to the documents mentioned from (i) to (ix) of para 3 of this affidavit, it is submitted as follows:-

- (a) As the documents at Para 3 (i) above originated from Ministry of Finance, Department of Economic Affairs, a reference was made to that Ministry on 8.11.2000 as to whether the said document can be de-classified. Reminders have been issued thereafter. The classification of this document will be decided based on the views of Department of Economic Affairs.
- (b) As regards, the document at para 3 (ii) and (ix), these are contained in file No.I/12014/27/93-IS D.III about which Union Home Secretary has already claimed privilege. This matter is



again being further examined in the light of the direction given by the Hon'ble Chairman vide his order dated 25.01.2001.

- (c) About the documents at para 3 (iii), (vi) and (viii) above, the contents thereof have been gone into and this Ministry has no objection to their de-classification and production before the Commission.
- (d) About the document at para 3 (v) above, the relevant file No.29/48/69-Poll-II has not become available but contents of the Cabinet Note have been gone into and this Ministry has no objection to its de-classification and production before the Hon'ble Commission.
- (e) With regard to documents mentioned in para 3 (iv) and (vii), copies have already been made available to the Commission by the Cabinet Secretariat on 28.08.2000.

- 6. Intelligence Bureau has informed that all the records relating to the subject were checked again and it was found that no material is available with the Intelligence Bureau (IB) which has a bearing on the alleged disappearance of Netaji/INA in addition to what was given to the Shah Nawaz Inquiry Committee in 1956. According to Intelligence Bureau, this material is in the form of micro-film, a transcribed copy of which has been made available to this Ministry. There is no objection to the de-classification of these papers, which will be provided to the Commission, if so desired.



7. Insofar as the records pertaining to the proceedings of the Khosla Commission of Inquiry are concerned, the same have already been made available to the Hon'ble Commission and duly identified by a representative of MHA in the sitting of the Commission held on 22.12.2000. It is stated that despite efforts to locate further records, if any, in respect of the proceedings of the Khosla Commission of Inquiry, no such records have become available.

Sangita Gairola

(SANGITA GAIROLA)
Deponent

Verification

I, Sangita Gairola declare and affirm that what is stated above is true to my knowledge and no part of this affidavit is false and nothing material has been concealed.

Verified at New Delhi on

February, 2001.

ATTESTED

Notary Public, Delhi

27 FEB 2001

Sangita Gairola

(SANGITA GAIROLA)
Deponent



TRANSMISSION REPORT

FAX ID: 3045730

COMPANY NAME: PHOTO COPY ROOM

TIME

DURATION

RECEIVED BY

TOTAL PAGES

DATE

TIME

RECEIVED BY

TIME

PAGES

AI 208 6/96 430

Track this air waybill at www.bluedart.com

Track this air waybill at www.bluedart.com

63

**BEFORE THE HON'BLE JUSTICE MUKHERJEE COMMISSION
OF INQUIRY AT CALCUTTA.**

**IN THE MATTER OF COMPLIANCE WITH THE ORDERS/
DIRECTIONS OF THE COMMISSION AS PASSED IN ITS
PROCEEDINGS AT CALCUTTA:**

AFFIDAVIT

I, Smt. Sangita Gairola working as Joint Secretary (Internal Security-I) in the Ministry of Home Affairs do solemnly affirm and state as under: -

1. The Hon'ble Commission in its sitting held on 28.9.2000 directed vide para 3 (b) (iii) of its proceedings, that the following documents should be produced before it: - (i) a xerox copy of the letter said to be sent by General Chiang-Kai-Sheik to Pandit Jawahar Lal Nehru about an Inquiry reportedly made by the Government of Nationalist China at Taipei regarding the alleged plane-crash involving Netaji along with a xerox copy of said Inquiry Report and (ii) a xerox copy of the Report dated 31.12.1945 of Shri B.C. Chakraborty (witness No.168 before Justice Khosla Commission of Inquiry) on alleged air-crash, and alleged death of Netaji Subhas Chandra Bose which was countersigned by Col. Stevenson and sent to the Combined Services Detailed Intelligence Centre (CSDIC) as referred to in the published report of the Commission.
2. The position with regard to the availability of the above said letter/reports has been checked up with reference to the records available in this Ministry. However, both the letter and the reports directed to be produced are not available in the Ministry

of Home Affairs. Their availability has also been checked up with the National Archives, Prime Minister's Office, Ministry of External Affairs, Ministry of Defence and Nehru Memorial Museum and Library. According to the information received from them, the letter/reports desired by the Commission are not available with them either. Hence, it is regretted that these cannot be produced before the Hon'ble Commission. However, an extract from the Report dated 31.12.1945 which was provided by Intelligence Bureau to the Shah Nawaz Inquiry Committee can be provided to the Hon'ble Commission.

3. Cabinet Secretariat has now informed this Ministry that they have the following files/documents:-
- i) F.No.10/22/CF-68 regarding issue of commemorative stamps/ coins of Netaji Subhas Chandra Bose on 21.10.68 on the occasion of the silver jubilee of Azad Hind Government.
 - ii) F.No.67/3/1/95-Cab Regarding proposal to bring the mortal remains of Netaji Subhas Chandra Bose from Japan to India.
 - iii) F.No.6/5/9/77-CF containing Cabinet decision on 17.9.77 regarding Motion in the Lok Sabha by Shri Samar Guha for a fresh inquiry into the disappearance of Netaji Subhas Chandra Bose.
 - iv) Meeting Pad No.62/1956 containing Cabinet decision on 9.9.56 regarding Report of the Netaji Subhas Chandra Bose Inquiry Committee.

- v) F.No.10/21/CF-68 containing Cabinet decision on 6.3.70 regarding fresh inquiry into the alleged death of Netaji Subhas Chandra Bose-Demand for.
- vi) F.No.6/1/6/74-CF containing Cabinet decision on 29.8.74 regarding the report of the one-man Commission of Inquiry into the disappearance of Netaji Subhas Chandra Bose.
- vii) Cabinet note dated 1.9.69 on the subject 'Disappearance of Netaji Subhas Chandra Bose in 1945' and the minutes of the Cabinet meeting held on 5.9.69.
- viii) F.No.6/5/1/91-ST containing CCPA decision on 27.2.91 on dispute regarding ashes of Netaji Subhas Chandra Bose and also controversy about whether Netaji is dead or still alive.
- ix) F.No.67/3/1/94-ST containing Core Group decision on controversy about Netaji's death.

4. Cabinet Secretariat further informed that the Commission had requested for photocopies of the documents mentioned at para 3 (iv) and (vii) above as Prime Minister's Office had informed that these documents have been weeded out and may be obtained from Cabinet Secretariat. Photocopies of these two documents were made available by the Cabinet Secretariat to the Commission on 28.8.2000. Further, except document at para 3 (i) above which has originated from Ministry of Finance, Department of Economic Affairs, the rest of the documents emanated from the Ministry of Home Affairs. Hence, Ministry of Home Affairs was required to examine the position with

reference to these documents with a view to deciding whether they can be de-classified and made available to the Commission. Accordingly, the position with regard to these documents has been checked up and we have subsequently been able to locate the following files:-

- i) F.No.I/12014/9/77-D.III relating to 'No day yet named motion' regarding report No.74 of the Commission of Inquiry into the disappearance of Netaji Subhas Chandra Bose;
- ii) F.No.I/12014/6/90-IS D.III- dispute regarding ashes of Netaji Subhas Chandra Bose- bring these ashes to India- controversy whether Netaji still alive; and
- iii) F.No.31/2/74-Poll (D.III)- Netaji Inquiry Commission- follow-up action.

5. With reference to the documents mentioned from (i) to (ix) of para 3 of this affidavit, it is submitted as follows:-

- (a) As the documents at Para 3 (i) above originated from Ministry of Finance, Department of Economic Affairs, a reference was made to that Ministry on 8.11.2000 as to whether the said document can be de-classified. Reminders have been issued thereafter. The classification of this document will be decided based on the views of Department of Economic Affairs.

F.No.10/22/CF68.

- (b) As regards, the document at para 3 (ii) and (ix), these are contained in file No.I/12014/27/93-IS D.III about which Union Home Secretary has already claimed privilege. This matter is

again being further examined in the light of the direction given by the Hon'ble Chairman vide his order dated 25.01.2001.

- (c) About the documents at para 3 (iii), (vi) and (viii) above, the contents thereof have been gone into and this Ministry has no objection to their de-classification and production before the Commission.
 - (d) About the document at para 3 (v) above, the relevant file No.29/48/69-Poll-II has not become available but contents of the Cabinet Note have been gone into and this Ministry has no objection to its de-classification and production before the Hon'ble Commission.
 - (e) With regard to documents mentioned in para 3 (iv) and (vii), copies have already been made available to the Commission by the Cabinet Secretariat on 28.08.2000.
6. Intelligence Bureau has informed that all the records relating to the subject were checked again and it was found that [✓]no material is available with the Intelligence Bureau (IB) which has a bearing on the alleged disappearance of Netaji/INA in addition to what was given to the Shah Nawaz Inquiry Committee in 1956. According to Intelligence Bureau, this material is in the form of micro-film, a transcribed copy of which has been made available to this Ministry. There is no objection to the de-classification of these papers, which will be provided to the Commission, if so desired.

7. Insofar as the records pertaining to the proceedings of the Khosla Commission of Inquiry are concerned, the same have already been made available to the Hon'ble Commission and duly identified by a representative of MHA in the sitting of the Commission held on 22.12.2000. It is stated that despite efforts to locate further records, if any, in respect of the proceedings of the Khosla Commission of Inquiry, no such records have become available.

Sangita Gairola

(SANGITA GAIROLA)
Deponent

Verification

I, Sangita Gairola declare and affirm that what is stated above is true to my knowledge and no part of this affidavit is false and nothing material has been concealed.

Verified at New Delhi on

February, 2001.

Sangita Gairola

(SANGITA GAIROLA)
Deponent

S. No. 26

BY SPEED POST 69

No. I-12014/13/2000-IS(D.III)
GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

* * * *

New Delhi, the 28th February, 2001.

To

Shri Tarakeswar Pal,
Advocate & Central Government Standing Counsel,
Justice Mukherjee Commission of Inquiry,
"PURNASASI" 33, Ashoke Avenue,
Near Navanir,
KOLKATA - 700 040.

Subject : Filing of an Affidavit in compliance with the
orders/directions of Hon'ble Justice
Mukherjee Commission of Inquiry.

* * * *

Sir,

I am directed to send herewith a copy of an Affidavit duly sworn in by Smt. Sangita Gairola, Joint Secretary (IS-I) in the Ministry of Home Affairs to be filed before the Hon'ble Justice Mukherjee Commission of Inquiry at Kolkata in compliance with the orders/directions of the Commission as passed in its proceedings dated 28.9.2000 at Kolkata. It is requested that this Affidavit may be formally filed before the Hon'ble Commission. In this connection, it may be stated that a copy of this Affidavit has already ^{been} sent to the Secretary to the Commission by courier service on 27.2.2001 since this Affidavit was required to be filed by 28.2.2001.

2. Kindly confirm formal filing of this Affidavit by return message.

Yours faithfully,

(V.P. BHATI)

UNDER SECRETARY TO THE GOVT. OF

Encl. : As above.

By Speed Post
Please send
by
28/2
15/2/01

24
28/2

5 NW 27
BY FAX

(FAX NO. 033-2482313)

No. I-12014/13/2000-IS(D.III)
GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

* * * *

New Delhi, the 28th February, 2001.

To

Shri Tarakeswar Pal,
Advocate & Central Government Standing Counsel,
Justice Mukherjee Commission of Inquiry,
Room No. 5, Bar Association,
High Court,
KOLKATA.

Subject : Filing of an Affidavit in compliance with the
orders/directions of Hon'ble Justice
Mukherjee Commission of Inquiry.

* * * *

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2. Kindly confirm formal filing of this Affidavit by return message.

Yours faithfully,


(V.P. BHATIA)
UNDER SECRETARY TO THE GOVT. OF INDIA.


Encl. : As above.

Top Secret

Se. m. 28
JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700 087

Phone:

Chairman -- 216-2835
Secretary -- 216-2767
Officer on
Special Duty -- 216-2765
Office -- 216-2766/68

No. JMCI/ Meeting-Proceedings
(Follow-up)/48 (Vol-II)/493

Calcutta, dated, the 31.01.2001

From : Shri P.K.Sengupta, WBHJS (Retd.)
Secretary

To : The Secretary
Ministry of Home Affairs
Government of India, North Block
New Delhi - 110001.

Sir,

I am directed to send herewith a xerox copy of the Proceedings dated 17.01.2001 (Seventh) of the Commission and of its order dated 25.01.2001 for taking necessary action as desired by the Commission.

I am further directed to send herewith the following two files pertaining to Netaji Subhas Chandra Bose in a sealed cover as desired by this Commission :-

- i) Bringing the ashes of Netaji kept in Renkoji Temple in Tokyo, Japan to India ; and
- ii) Posthumous announcement of award of 'Bharat Ratna' to Netaji.

The said sealed cover as also xerox copies of the said proceedings and order will be made over at your office by Shri Ajoy Kumar De, Private Secretary of this Commission.

Yours faithfully,

P. K. Sengupta
(P. K. Sengupta)
Secretary

Enclo : Sealed cover as stated

and Proceedings dt. 17.01.2001 (Seventh)
and Commission's order dt. 25/01/2001

12.2.01.
US (VII)

1/142

TO me

Fax : 0091-033-216-2765

e-mail : jmcinscb@cal3.vsnl.net.in

355
(72)

JUSTICE M.K. MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated 17.01.2001 (Seventh)

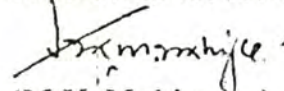
Held at the Seminar Hall, Annexe Building, Mahajati Sadan,
166, Chittaranjan Avenue, Calcutta 700 007

Proceedings

17th January 2001

In terms of the order passed in the last sitting of the Commission on 22.12.2000, the two applications (filed through affidavits) by Shri Kamal Pande, Secretary to the Government of India, Ministry of Home Affairs, and Shri Jarnail Singh, a Joint Secretary in the Prime Minister's Office, claiming privilege in respect of the contents of the documents referred to in their respective applications have been taken up for further hearing.

At the commencement of the hearing Mr. Paul, has submitted that lest the Commission holds that Shri Jarnail Singh being a Joint Secretary is not competent to claim privilege in view of the provisions of Sections 123 of the Evidence Act, he may be permitted to file a supplementary affidavit affirmed by Shri N.K. Singh, Secretary in the Prime Minister's office fully supporting the claim of Shri Jarnail Singh within a day or two. The prayer has been allowed. Thereafter the learned Counsel for the parties, including the learned Counsel for Government of India, have been heard at length on the claim of privilege. Necessary Orders in this regard will be passed in due course.


(M.K. Mukherjee)
Chairman,

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ORDER

25.1.2001

Sri Kamal Pande, Secretary to the Government of India, Ministry of Home Affairs, has filed an application through an affidavit claiming privilege in respect of the following files pertaining to Netaji Subhas Chandra Bose :-

- A
- i) Bringing the ashes of Netaji kept in Renkoji Temple in Tokyo, Japan to India; and
 - ii) Posthumous announcement of award of 'Bharat Ratna' to Netaji ;

The privilege has been claimed under Sections 123 and 124 of the Evidence Act and Article 74 (2) of the Constitution of India.

Similar claim under Sections 123 and 124 of the Evidence Act has been made in another affidavit by Sri Jarnail Singh, a Joint Secretary in the Prime Minister's Office, in respect of documents dealing with the following issues :-

- B
- i) Controversies regarding Netaji's death and bringing his ashes in India from Japan ; and
 - ii) Identity of Mrs. Anita Puff, daughter of Netaji Subhas Chandra Bose.

Later on, with the permission of the Commission Sri N.K. Singh, Secretary in the Prime Minister's

Office has filed a supplementary affidavit supporting the claim of Sri Jarnail Singh. The learned Counsel for the deponents before the Commission raised a threshold question as to the maintainability of the claim on the grounds that none of the affidavits specifies the documents in respect of which privilege was being claimed nor do they indicate the reasons why it is apprehended that their disclosure would lead to injury to public interest. To bring home their contentions they have taken me through the averments made in the affidavits and relied on various judgments of the Supreme Court in this regard. Particular reference has been made to the Constitution Bench judgments of the Supreme Court in State of Punjab vs. S.S. Singh, AIR 1961 S.C. 493 wherein Gajendragadkar J. (as His Lordship then was), speaking for the majority, observed as under :-

" The sole and the only test which should determine the decision of the head of the department is injury to public interest and nothing else. Since it is not unlikely that extraneous and collateral purposes may operate in the mind of the person claiming the privilege it is necessary to lay down certain rules in respect of the manner in which the privilege should be claimed. We think that in such cases the privilege should be claimed generally by the Minister in charge who is the political head of the department concerned; if not, the Secretary of the department who is the departmental head should make the claim; and the claim should always be made in the form of an affidavit. When the affidavit is made by the Secretary the Court may, in a proper case, require an affidavit of the Minister himself. The affidavit should show that each document in question has

been carefully read and considered, and the person making the affidavit is satisfied that its disclosure would lead to public injury. If there are a series of documents included in a file it should appear from the affidavit that each one of the documents, whose disclosure is objected to, has been duly considered by the authority concerned. The affidavit should also indicate briefly within permissible limits the reason why it is apprehended that their disclosure would lead to injury to public interest." (emphasis supplied).

Reliance was also placed in *Amarchand Butayel vs. Union of India*, AIR 1964 SC 1658 wherein the above quoted principle was reiterated. Lastly, the attention of the Commission was drawn to the following passage from the judgment of Supreme Court in *R.K. Jain vs. Union of India* (1993) 4 SCC page 120.

"It is now settled law that the initial claim for public interest immunity to produce unpublished official records for short "State documents" should be made through an affidavit generally by the Minister concerned, in his absence by the Secretary of the department or head of the department. In the latter case the court may require an affidavit of the Minister himself to be filed. The affidavit should indicate that the documents in question have been carefully read and considered and the deponent has been satisfied, supported by reasons or grounds valid and germane, as to why it is apprehended that public interest would be injured by disclo-

sure of the document summoned or called for.
If the court finds the affidavit unsatisfactory
a further opportunity may be given to file
additional affidavit or he may be summoned for
cross-examination. If the court is satisfied
from the affidavit and the reasons assigned
for withholding production or disclosure, the
Court may pass an appropriate order in that
behalf. " (emphasis supplied)

In responding to the above contentions of the
learned Counsel for the deponents, Mr. Pal appearing
for the Union of India submitted that the affidavits
clearly indicate that the privilege has been claimed
in the line of the observations of the Supreme Court
in the above cases and therefore, no exception could
be taken to the same. He, however, fairly submitted
that if the Commission felt that the affidavits were
unsatisfactory, the Secretaries concerned may be given
an opportunity to file additional affidavits, as
observed by Supreme Court in R.K.Jain (Supra).

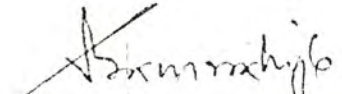
To find an answer to the above questions
I have carefully gone through the affidavits and files.
Unlike the affidavits filed on behalf of the Prime
Minister's Office wherein not only the documents have
been specifically mentioned but also the notes appear-
ing therein (Annexure I and IA respectively to the
affidavits), in respect of which privilege has been
claimed, the Ministry of Home Affairs have claimed
privilege in respect of the entire contents of their
two files. On perusal thereof, I find that these files
not only contain official notes and correspondences
between the Ministry of Home Affairs, Prime Minister's
Office and other Ministries but also records of Par-
liamentary proceedings, newspaper cuttings, open

letters sent by eminent citizens to the Ministry of Home Affairs and similar other documents. Apparently the latter class of documents cannot answer the description of 'secret' documents nor do they assume such a character simply by their inclusion in files marked "TOP SECRET". In that context, it was obligatory on the part of the Secretary of Ministry of Home Affairs to specify the documents in respect of which privilege was being claimed. So far as furnishing of the reasons as to why it is apprehended that the disclosure of the documents in the files would lead to injury to public interest is concerned, the only reason that has been given in the affidavit is that disclosure of the records would cause injury to India's relation with some friendly foreign countries. Whether the above reason is appropriate one or not need not be decided at this stage but suffice it to say that the reason is not even available to other documents appearing in the files. In all such circumstances, the Ministry of Home Affairs was also required to indicate the specific reasons for which the contents of the other relevant documents in the file should not be disclosed.

For the foregoing discussion, the Secretary, Ministry of Home Affairs is directed to file a supplementary affidavit regarding their claim of privilege keeping in view the observations made hereinbefore and the principle laid down by the Supreme Court as to the manner in which it is to be claimed. The supplementary affidavit should be filed within a month of communication of this Order. Let a copy of this Order alongwith the files received from the Ministry of Home Affairs be sent for their response.

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3. So far as the affidavits of Prime Minister's Office are concerned, they undoubtedly specify the documents and the notes in respect of which privilege is claimed, As regards the documents pertaining to the identity of Mrs. Anita Puff, daughter of Netaji Subhas Chandra Bose, the same are not relevant to the terms of reference and hence the same may be sent back. The other documents and notes relate to correspondence between the Prime Minister's Office and the Home Ministry; and the same also find place in the files of Ministry of Home Affairs in respect of which privilege has been claimed. In all such circumstances, appropriate Orders regarding the merits of the claim of privilege in respect of those documents will be made on receipt of response of the Ministry of Home Affairs to this Order.


(Monoj Kr. Mukherjee)
Chairman

No.I/12014/13/2000-IS(D.III)
GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

New Delhi, the 9th March, 2001

To

The Hon'ble Chairman,
Justice Mukherjee Commission of Inquiry,
'B' Block (3rd Floor),
11/A, Mirza Ghalib Street,
Kolkata - 700 087.

Subject: Filing of a supplementary affidavit before the Commission in compliance of the order/direction dated 25.1.2001 of Hon'ble Chairman.

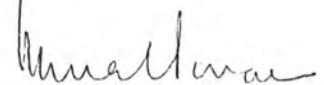
Sir,

As per direction of the Commission contained in the order dated 25.1.2001 passed in pursuance of the proceedings of the Commission held on 17.1.2001, I am now required to file a supplementary affidavit specifying the documents in respect of which privilege is claimed along with specific reasons for the claim.

2. It is submitted that since several documents have originated from various Ministries/Departments of the Government of India, consultation with them is required to be completed before the supplementary affidavit can be filed. As the response from concerned Ministries/Departments is likely to take time, it might not be possible to finalise the supplementary affidavit within the stipulated time-frame.

3. It is, therefore, requested that time may kindly be granted upto 30th April, 2001 to file the supplementary affidavit before the Commission.

Yours faithfully,



(Kamal Pande)
Home Secretary

By Fax

Please send

9/3

MHA Control Room

9/3/01

MESSAGE CONFIRMATION

MAR-09-01 16:56

FAX NUMBER :

NAME :

FAX NUMBER : 0332162765

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(8)

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
 FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
 NETAJI SUBHAS CHANDRA BOSE.
 'B' Block, (Third Floor)
 11/A Mirza Ghalib Street, Calcutta 700 087

Phone:

Chairman - 216-2035
 Secretary - 216-2767
 Officer on
 Special Duty - 216-2765
 Office - 216-2767/3

REGISTERED WITH A.D.

No. JMCI/Affidavit /50/2000/629.

Calcutta, dated, the 14th March '2001.

G-1239/Hs/rm
19/3

From : Shri M.Roy,
 Officer on Special Duty,
 J.M.C.I.

To : Shri Kamal Pande,
 Home Secretary,
 Ministry of Home Affairs,
 Government of India.

Subject: Filing of a supplementary affidavit
 before the Commission in compliance
 with the order/direction dated
 25.01.2001 of Hon'ble Chairman.

Sir,

I am directed to refer to your letter dated 09.03.2001
 on the above subject and to state that the Hon'ble Chairman
 has been pleased to grant time upto 30.04.2001 to file your
 supplementary affidavit before the Commission as prayed for
 in your aforesaid letter dated 09.03.2001.

Yours faithfully,

(M. Roy)
 Officer on Special Duty.

JS/181

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Tb m

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DSC/15
17/3

4267/JS(15I) 8-6 Se m. 31

By registered
post with A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700 087

Phone:

Chairman -- 252-2835
Secretary -- 252-2767
Officer on
Special Duty -- 252-2765
Office -- 252-2766/68

3735/DS(15-1)/2001

8/6

1827/1505D-IV/01
11/8

48(Vol.III)/137

No. JMCI/ Meeting-Proceedings(Follow-Up)/ Calcutta, dated, the June 1, 2001

From : Shri P.K. Sengupta
Secretary

To : Ms. Sangeeta Gairola,
Joint Secretary to the Government of India, (I.S.)
Ministry of Home Affairs,
North Block,
New Delhi - 110001.

Madam,

I am directed to refer to your affidavit dated 27.02.2001 filed before the Commission and to request you to send to the Commission immediately after due authentication the documents available with the Government of India out of the documents called for by the Commission in terms of its orders/directions contained in para 3(b)(iii) of its proceedings dated 28.09.2000.

Yours faithfully,

(P. K. Sengupta)
Secretary

Urgent

Pl. make copies of the documents /
ask IB to send authenticated copies thereof

8.6.01

DS(15-1)

Fax : 0091-033-252-2765

e-mail : jmcinscb@cal3.vsnl.net.in

To m

US(15-1)

S. no. 32

(83)

SECRET
MOST IMMEDIATE

Ministry of Home Affairs

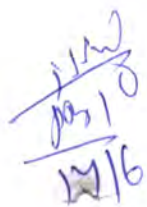
IS Division

Reference is invited to Intelligence Bureau's D.O. letter No.IV/8(29)/2000-182 dated 02.02.2001 addressed to Smt. Sangita Gairola, Joint Secretary (IS-I), Ministry of Home Affairs regarding availability of records pertaining to the disappearance of Netaji Subash Chandra Bose. It was agreed to by the Intelligence Bureau that the papers given to the Netaji Enquiry Committee headed by Shah Nawaz Khan in 1956 (which are in the form of Microfilm and a transcribed copy of which was sent to MHA) be given to the Commission if so desired and that Intelligence Bureau has no objection if these papers are declassified. Accordingly, it was mentioned in the affidavit filed by Smt. Sangita Gairola on 27.02.2001 that an extract from the report dated 31.12.1945 which was provided by the Intelligence Bureau to the Shah Nawaz Enquiry Committee can be provided to the Hon'ble Commission. Accordingly, the Commission has now requested to send immediately the required documents duly authenticated.

2. It is therefore requested that a set of transcribed copy of the microfilm which was given to Netaji Enquiry Committee headed by Shah Nawaz Khan in 1956 ~~could~~ be provided to this Ministry at the earliest after declassification as earlier agreed to by the Intelligence Bureau and duly authenticated for onward transmission to Justice Mukherjee Commission of Inquiry.


(V.P. Bhatia)

Under Secretary to the Govt. of India


Intelligence Bureau,
(Shri Sanjay Sinha, Deputy Director), New Delhi.
M.H.A. I.D. No.I/12014/13/2000-IS (D.III) Dated 14.06.2001

Out To day

Please inform
by
14/6

IS/1572
To m

By registered
post with A/D.

Sl. no. 33

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700 087

Phone:

Chairman -- 252-2835
Secretary -- 252-2767
Officer on
Special Duty -- 252-2765
Office -- 252-2766/68

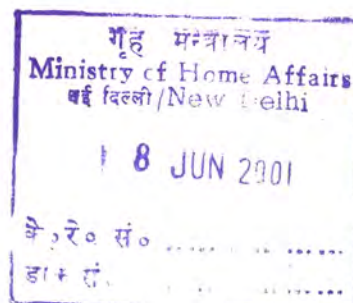
1843/ISUSD IV/241
11/6

48(Vol.III)/138

No. JMCIMeeting-Proceedings(Follow-Up)/ Calcutta, dated, the June 1, 2001

From : Shri P.K. Sengupta
Secretary

To : The Secretary
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi - 110001.

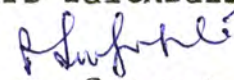


S i r,

I am directed to refer to the letter No.IV/8(29)/
2000-1616 dated 27.09.2000 of the Additional Deputy Director,
Intelligence Bureau, Government of India, addressed to the
Director (IS-I), Ministry of Home Affairs, Government of India,
a copy of which was endorsed to the undersigned and to request
you to advise the Intelligence Bureau to file their requisite
affidavit to be sworn by a competent Officer, not below the
rank of Joint Secretary to the Government of India, without
any further avoidable delay and, if the process of rechecking
is yet to be completed by the Intelligence Bureau, they should
submit an interim report stating clearly when they will file
their affidavit.

I am further directed to request you to send as quickly
as possible a transcribed copy of the Micro-film of the records
given to Shah Nawaz Committee.

Yours faithfully,


(P. K. Sengupta)
Secretary

Netaji probe panel yet to get papers from Home, PMO

SANTANU BANERJEE
KOLKATA, JUNE 17

EVEN as the Justice M.K. Mukherjee Commission of Inquiry awaits the Centre's clearance for its trip to the UK next month to see 700 documents in the British Library on Netaji Subhash Chandra Bose, the panel, according to the latest status report, didn't receive several documents from the Prime Minister's Office (PMO) and the Union Home Ministry.

According to the last status report released by the Commission at its hearing on 13 June, the status of the inquiry made in August 2000 about some files from the PMO "remains unchanged". The Commission has again requested the secretary, PMO, in its letter dated June 1, 2001, to arrange to file an affidavit before the Commission as soon as possible.

The Commission, appointed to inquire into the alleged disappearance of Netaji Subhash Chandra Bose after the plane he was travelling in reportedly crashed in August 1945, wanted to know from the PMO: "(a) whether any of the files/records

relevant to the terms of reference of this Commission have been destroyed; (b) If any such files/records have been destroyed (then) ... (ii) the reasons for such destruction; (iii) the date(s) when those were destroyed; (iv) the place where those were destroyed; and (v) whether copies of the documents contained in those destroyed files/records have been kept or maintained and if not, the reasons thereof."

The Secretary, PMO, according to the status report of the Commission, was also requested to submit an interim action taken report within four weeks from the date of receipt of the letter.

Similarly, the Commission wanted the secretary, Union Home Ministry, in its letter dated 1st June, 2001, to "advise the Intelligence Bureau to file their... affidavit without any further avoidable delay and if the process of rechecking is yet to be completed by the Intelligence Bureau...."

The Commission also wants the Intelligence Bureau to submit an interim report stating clearly when they would file their affidavit. The secretary has also been requested to send the Commission "as quickly possible a transcribed copy

of the micro-film of the records given to the Shah Nawaz Khan Committee which was the first to probe the alleged death of Netaji in the 1945 air crash, in 1956".

Interestingly, the Commission feels that the Centre is delaying the submission of several sensitive documents. The two instances of inaction on the part of PMO and Union Home Ministry are cases in point, sources claimed.

Speaking to the press last week, Justice Mukherjee had said that he was not sure if he could, in fact, get the required documents from the Government of India.

However, Justice Mukherjee said that the Commission's request to the British government had elicited good response and if the expected tour materialised next month, the members would be able to see over 700 documents on Netaji in the British Library.

The Commission is also due to meet the British biographer of Netaji, Hugh Toye, author of *The Springing Tiger*, and other Britishers who could share more facts on Netaji with the panel.

The panel is also trying to persuade the External Affairs Ministry to find out more about documents on Bose in Russia and USA.

JS (IS-I) by 3 PM please
for comments

18-6-01
AS (H)

JS (IS-I)



SANGITA GAIROLA
JOINT SECRETARY
TEL:3015736

D.O.No.I-12014/13/2001-IS(D.III)

SECRET

गृह मंत्रालय
भारत सरकार
नार्थ ब्लॉक, नई दिल्ली-110001
MINISTRY OF HOME AFFAIRS
GOVERNMENT OF INDIA
NORTH BLOCK, NEW DELHI-110001
June 18, 2001

Dear Shri Singh,

Kind attention is drawn to d.o. letter No.IV/8(29)/2000-182 dated 2.2.2001 from Shri Sanjay Sinha, Deputy Director. An affidavit had been filed by this Ministry on 27.2.2001 accordingly before the Justice Mukherjee Commission of Inquiry. The Commission has now directed this Ministry to send an authenticated transcribed copy of the micro film of the records given by IB to the Shah Nawaz Khan Committee in 1956. The Commission also expects IB to file an affidavit in the matter. A copy each of the two letters received from Secretary, Justice Mukherjee Commission of Inquiry in this regard is enclosed.

2. The matter has already been taken up with Shri Sinha for providing the required documents vide this Ministry's ID note of even number dated 14.6.2001. As a response is to be sent to the Commission expeditiously, it is requested that authenticated copies of the documents may please be sent to this Ministry after declassification, by 5.00 p.m. on 19.6.2001.

With regards,

Yours sincerely,

Sangita Gairola
(SANGITA GAIROLA)

Shri K.P. Singh,
Director,
Intelligence Bureau,
NEW DELHI.

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At once
Please inform
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S.M. 36

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MOST IMMEDIATE



सत्यमेव जयते

Sanjay Sinha,
Deputy Director

4131/DS(15-I)/01
2016

No. IV/8(66)/2001-918

आसूचना ब्यूरो

गृह मंत्रालय

भारत सरकार

INTELLIGENCE BUREAU

(Ministry of Home Affairs)

Government of India

नई दिल्ली, दिनांक 20

New Delhi, dated 20/6/2001

Dear Smt Gairola,

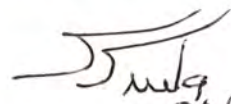
Please refer to your DO No.I-12014/13/2001-IS(D.III) dated 18.06.01, asking for an authenticated copy of the documents relating to the death of Netaji Subhash Chandra Bose, which were handed over to the Shah Nawaz Khan Committee in 1956.

2. As desired, an authenticated copy of the Intelligence Bureau letter No.1/INA/54 dated 22.06.56 addressed to Shri Shah Nawaz Khan, Chairman, Netaji Enquiry Committee, transcribed from the microfilm, is enclosed.

3. It is also mentioned that the entire set of documents may please be treated as 'declassified'.

With regards,

Yours Sincerely,


20.6.01
(Sanjay Sinha)

Smt Sangita Gairola,
Joint Secretary (IS-I),
Ministry of Home Affairs,
Government of India,
New Delhi.

Encl: As above.

Pl. send these in a sealed
cover to the Commission with
a covering letter.

DS(15-1)

20-6-01.

Pl. up w/d
1-07/2016

D.O. D-11

US DIV

Most Immediate

Government of India
Ministry of Home, Affairs
IS-I Division

Intelligence Bureau may please refer to their DO No.IV/8(66)/2001-918 dated 20-6-2001 sending therewith authenticated copy of the IB's letter No.1/TNA/54 dated 22-6-56 addressed to Shri Shah Nawaz Khan, Chairman, Netaji Enquiry Committee, transcribed from the microfilm. A perusal of para 1(e) of this letter indicates that the letter dated 17-11-1945 from Lieut Col John Figgess contained five photographs also but these photographs have not been sent.

2. It is, therefore, requested that the five photographs in question duly authenticated may be sent to this Ministry by this evening so that all these papers can be sent to Justice Mukherjee Commission of Inquiry.

3. This also ^{has} reference to the telephonic conversation which Shri Mukesh Mittal, Dy. Secretary (IS-I) had with Shri Sanjay Sinha, Dy. Director, IB.

(V.P. BHATIA)

Under Secretary to the Govt. of India
 Tele No.301 5700

IB (Shri Sanjay Sinha, Dy. Director) New Delhi

MHA UO No.I-12014/13/2000-IS(D.III)
 2001.

Dated, the 21st June,

By hand

Please in

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IS (WFO)

To me

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 205/2
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MINISTRY OF HOME AFFAIRS
IS DIVISION (US D.IV)

* * * *

Intelligence Bureau may please refer to this Ministry's U.O. Note of even number dated the 21st June, 2001 regarding five photographs which were inter alia given to Shah Nawaz Khan Committee in 1956 with IB's letter No. 1/INA/54 dated 22.6.56.

2. While set of papers transcribed from the microfilm which were given to Shri Shah Nawaz Khan, Chairman, Netaji Enquiry Committee, alongwith above-cited letter dated 22.6.56 has been received, the five photographs are still to be provided by the Intelligence Bureau.

3. It is requested that the photographs in question may kindly be sent to this Ministry expeditiously and without any further delay so that these papers could be sent to Justice Mukherjee Commission of Inquiry.

(V.P. BHATIA)
UNDER SECRETARY TO THE GOVT. OF INDIA.

Intelligence Bureau (Shri Sanjay Sinha, Deputy Director), New Delhi.

MHA U.O. No. I-12014/13/2000-IS(D.III) dated 28.6.2001.

Issued
P.B. No. 11
28/6

Out Today
1/28/6

15/10/01
To me

Secret
Most Immediate

INTELLIGENCE BUREAU
(Ministry of Home Affairs)

4423/DS(IS-1)/9

2/7

MHA may please refer to their UO No.I-12014/13/2000-IS(D.III) dated 21.6.2001 asking for photographs given to Shah Nawaz Committee in 1956 for submission to the Justice Mukherjee Commission enquiring into the alleged disappearance of Subhash Chandra Bose.

2. A set of 5 photographs transcribed from the microfilm, duly authenticated on reverse, is sent herewith.

P.P. Nautiyal
(P.P. Nautiyal)
Addl. Deputy Director

MHA: Shri VP Bhatia, Under Secretary (IS-I)
DIB UO No.IV/8(66)/2001-10/8 Dated 02.07.2001

Pl. send all the material to the Commission tomorrow.

DS(IS-1)

US DIV

for necessary
confirmation

2.7.01

2/7

REGISTERED WITH A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY

For Inquiry into the Alleged Disappearance of

NELAI SUBHAS CHANDRA BOSE.

'B' Block, (Third Floor)

11/A Mirza Ghalib Street, Calcutta 700 087

Phone:

Chairman

Secretary

Officer on

Special Duty

Office

(9)

4715/JS(15.1)/2001
26/6

2010/15USD-IV/01
27/6

No. JMCI/ Meeting-Proceedings(Follow Up)/ -Calcutta, dated, the 19.06.2001.
48(Vol.II)/161(5)

4360/DS(15.1)01
26/6

From : Shri M. Roy, IAS (Retd.),
Officer on Special Duty

To : 1) The Secretary, Ministry of Home Affairs, G.O.I.
2) -do- , Ministry of External Affairs, G.O.I.
3) -do- , Prime Minister's Office, G.O.I.
4) -do- , Defence Department, G.O.I.,
5) -do- , Cabinet Sectt., G.O.I.

S i r,

I am directed to send herewith a copy of the Status Report as on June 11, 2001 showing action taken on/compliance with the orders/directions of the Commission including those contained in the proceedings dated 04.04.2001 read with the proceedings dated 23.03.2000, 13.06.2000, 31.08.2000, 28.09.2000, 23.11.2000, and 22.12.2000 as also the orders dated 25.01.2001 in pursuance of the hearing dated 17.01.2001 of this Commission, for your kind perusal and favour of taking necessary action.

Yours faithfully,

(M. Roy)

Officer on Special Duty

Encl : As stated.

JS(15.1) on leave

DS(15.1)
26/6

USD-IV/

(42)

Status Report as on 11.06.2001 showing action taken on/compliance with the orders/directions of the Commission including those contained in proceedings dated 04.04.2001 read with the proceedings dated 23.03.2000, 13.06.2000, 31.08.2000, 28.09.2000, 23.11.2000, and 22.12.2000 as also orders dated 25.01.2001 in pursuance of the hearing dated 17.01.2001 of Justice M.K. Mukherjee Commission of Inquiry.

1. Re : Examination of Witnesses

- (a) Fresh summonses have been sent to Sm. Prova Jagannathan and Shri Mubarak Mazdoor by Registered Post with A.D. for their examination as witnesses on the next date of hearing fixed on June 13, 2001 in compliance with the orders/directions contained in the proceedings dated April 4, 2001. A/D.s are awaited.
- (b) A letter bearing No.JMCI/Meeting-Proceedings (Follow Up)/48. Vol.III/70 dated May 14, 2001 was sent by Registered Post with A/D. to Shri Brojogopal Mukherjee, wherein Shri Mukherjee was directed to forward to the Commission within four weeks from the date of receipt of the said letter, an English version of the article, "Babu Bose : MANN HINTER DEN FRONTEN (Man behind the front)", said to have been published in the German magazine, "Inter Press" dated 28.10.49, supported by an affidavit to be duly sworn by Shri Mukherjee to the effect that it has been truly and correctly translated. The said letter was issued in compliance with the orders/directions contained in the proceedings dated April 4, 2001 of the Commission. The Acknowledgement Card bearing purported signature dated 19.05.2001 of Shri Mukherjee thereon has been received back.
- (c) Five witnesses were examined on Commission by Shri N.K. Panja, Principal Private Secretary at Lucknow in the last week of April, 2001.

2. Re : Claim of privilege

- (a) A supplementary affidavit dated April 27, 2001 sworn by Shri Kamal Pandey, Home Secretary, Government of India, in compliance with the order/direction dated

contd....P.2.

93)
NA
January 25, 2001 read with those dated April 4, 2001 of the Hon'ble Chairman, has been received on April 30, 2001.

NA
(b) The two files of the Ministry of Home Affairs, Government of India, which contain documents about which privilege has been claimed by the Home Secretary have been received back on call. In his order dated June 7, 2001, the Hon'ble Chairman has observed that appropriate orders regarding the said claim of privilege of the Home Secretary will be passed after the declassified documents/records at the British Library, London are perused and the witnesses available in the U.K. are examined during his visit to the U.K. in July, 2001.

3. Re : Examination of Dr.(Col.) Lakshmi Sehgal (Ex-INA)

Dr.(Col.) Lakshmi Sehgal has been examined on Commission at Kanpur by Shri P.K. Sengupta, Secretary of the Commission on June 4, 2001 in presence of some of the deponents including Shri V.P. Saini, Dr. Alokesh Bagchi, Shri Anil Krishna Mukherjee, and Shri Subrata Bose who cross-examined her.

4. Re : Examination of Shri Sugata Bose, S/o. Late Dr. Sisir Kumar Bose

In Commission's letter dated February 23, 2001 Shri Sugata Bose was requested inter alia to send an affidavit duly sworn by him in respect of his contentions that there is strong evidence that Netaji Subhas Chandra Bose had been tragically killed in an air crash in Taipei on 18th August, 1945 and that there is absolutely no evidence that Netaji was spotted in a variety of places subsequent to that day. He was further requested to furnish to the Commission xerox copies of all evidence collected by Dr. Sisir Kumar Bose as stated by him in his letter dated February 2, 2001 addressed to the Commission. In response to the said letter dated February 23, 2001, Shri Bose has simply enclosed with his letter dated May 14, 2001 a copy of his earlier letter dated February 2, 2001 bearing an endorsement of a Notary Public thereon. In Commission's letter dated May 25, 2001, the said letter dated May 14, 2001 of Shri Bose was

contd...P.3.

was acknowledged and Shri Bose was again requested to keep the Commission informed of his programme of next visit to India well-ahead so that the Commission may examine him as a witness, if required.

5. Re : Counter-affidavits of the Government of India to respond to the allegations/contentions/averments concerning them as incorporated in some affidavits.

(i) Xerox copies of the affidavits/supplementary affidavits filed before the Commission by (a) Shri Jyotish Chandra Bose and eight others, (b) Shri Subrata Bose and two others, (c) All India Forward Bloc and another, (d) Shri Nirmal Sinha and three others, (e) Shri Madhusudan Pal, and (f) Shri Bijan Ghosh were sent by the Commission to the Secretary, Ministry of Home Affairs, Government of India, in September, 2000 so that the concerned Ministries/Departments of the Government of India, could file within six weeks, their respective counter-affidavits, if any, in respect of the averments/contentions/allegations contained in the aforesaid affidavits. No such counter-affidavits have yet been received.

(ii) Shri Nandalal Chakravarty, one of the co-deponents of the affidavit/supplementary affidavits filed on behalf of Shri Jyotish Chandra Bose and eight others, has filed a petition dated May 25, 2001 with an enclosure thereto wherein he has mentioned various documents referred to in their aforesaid affidavit/supplementary affidavits and urged upon the Commission to take immediate steps for production of those documents by the appropriate authorities as the said documents are claimed by the said deponents to be having significant bearing on the issues under consideration of the Commission. Accordingly, xerox copies of the said petition dated May 25, 2001 and its enclosure were sent to the Secretary, Ministry of Home Affairs, Government of India, with Commission's letter No. JMCI/Affidavit-Averments(Follow Up)/2000-2001/67/132 dated May 30, 2001 with the request to arrange to furnish the original or authenticated copies of the documents mentioned therein.

(iii) A xerox copy of the affidavit dated March 3, 2000 filed by Shri Usha Ranjan Bhattacharya along with one copy of the book authored by him titled, "Netaji was murdered in Red Fort" has been sent to the Secretary, Ministry of Home Affairs,

Government of India, as also to the Secretary, Ministry of External Affairs, Government of India under Commission's letters dated May 30, 2001 with the request that the concerned Ministries/Departments of the Government of India may file their respective counter-affidavits, if any, responding to the allegations made in the said affidavit and the book, within six weeks from the date of receipt of the letter.

6. Re : Paras (a)(i) and (a)(iii) of the proceedings dated March 23, 2000 of the Commission.

The position reflected in the Status Report as on April 2, 2001 (forenoon) remains unchanged. The Secretary, Ministry of Home Affairs, Government of India, has been requested in Commission's letter dated June 1, 2001 to ensure expeditious action for sending to the Commission the remaining files/documents concerned along with supporting affidavits by the concerned Ministries/Departments of the Government of India and to send to the Commission an interim "Action Taken Report" within four weeks from the date of receipt of the letter.

7. Re : Para B(i) of the proceedings dated August 31, 2000 of the Commission

The position reflected in the Status Report as on April 2, 2001 (forenoon) remains unchanged. The Secretary, Ministry of Home Affairs, Government of India, has been requested in Commission's letter dated June 1, 2001 that all the documents/records/files actually produced/filed/made exhibits before Justice Khosla Commission are required to be produced before this Commission immediately along with the supporting affidavits. He has also been requested to send to the Commission an interim "Action Taken Report" within four weeks from the date of receipt of the letter.

8. Re : Para B.5 of the proceedings dated November 23, 2000 of the Commission

The position reflected in the Status Report as on April 2, 2001 (forenoon) remains unchanged. The Secretary, Ministry of External Affairs, Government of India, has been requested in Commission's letter dated June 1, 2001 that all the exhibits/documents/records called for by and/or filed before the Shah Nawaz Khan Committee should be filed before this

Commission immediately with the supporting affidavit. He has also been requested to send to this Commission an interim "Action Taken Report" in the matter within four weeks from the date of receipt of the letter.

9. Re : Filing of affidavit by the Intelligence Bureau, Government of India, in respect of availability/non-availability of records pertaining to Netaji/I.N.A. in the Intelligence Bureau, Government of India.

The position reflected in the Status Report as on April 2, 2001 (forenoon) remains unchanged. The Secretary, Ministry of Home Affairs, Government of India, has been requested in Commission's letter dated June 1, 2001 to advise the Intelligence Bureau to file their requisite affidavit without any further avoidable delay and if the process of rechecking is yet to be completed by the Intelligence Bureau, they should submit an interim report stating clearly when they will file their duly sworn affidavit. The Secretary has also been requested to send to the Commission as quickly as possible a transcribed copy of the Micro-Film of the records given to the Shah Nawaz Khan Committee.

10. Re : Para 3(b)(iii) of the proceedings dated September 28, 2000 of the Commission

In Commission's letter dated June 1, 2001, Joint Secretary(I.S.), Ministry of Home Affairs, Government of India, has been requested with reference to her affidavit dated February 27, 2001 to send to the Commission immediately after due authentication the documents available with the Government of India out of the documents called for by the Commission in terms of its orders/directions contained in para 3(b)(iii) of its proceedings dated September 28, 2000.

11. Re : Para A(ii) of the proceedings dated August 31, 2000 of the Commission

The position reflected in the Status Report as on April 2, 2001 (forenoon) remains unchanged. The Secretary of the Prime Minister's office, Government of India, has been requested in Commission's letter dated June 1, 2001 to arrange to file before the Commission immediately an affidavit, duly sworn, stating :

- (a) Whether any of the files/records relevant to the terms of reference of this Commission has been destroyed;
- (b) If any such files/records have been destroyed -
- (i) the details thereof;
 - (ii) the reasons for such destruction;
 - (iii) the date(s) when those were destroyed;
 - (iv) the place where those were destroyed; and
 - (v) whether copies of the documents contained in those destroyed files/records have been kept or maintained and if not, the reasons therefor.

He has also been requested to send to the Commission an interim "Action Taken Report" in the matter within four weeks from the date of receipt of the letter.

12. Re : Affidavit dated February 1, 2001 filed before the Commission by Shri Falguni Rajkumar, Joint Secretary, (TRG) C.A.O., of the Ministry of Defence, Government of India, New Delhi.

The position reflected in the Status Report as on April 2, 2001 (forenoon) remains unchanged. The Secretary, Ministry of Defence, Government of India, has been requested in Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/92 dated May 23, 2001 to expedite submission before the Commission a duly sworn affidavit about existence or non-existence or availability or non-availability of the records of the proceedings of the trial of the I.N.A. personnel held at the Red Fort, New Delhi. He has also been ~~request~~ requested to expedite submission before the Commission complete records of the said proceedings if the same are available.

13. Re : Perusal of documents on Netaji/INA lying in different archives of Russian Union as also in the archives within the residual territory of the erstwhile USSR.

The position reflected in the Status Report as on April 2, 2001 (forenoon) remains unchanged. The Secretary, Ministry of Home Affairs, Government of India, has been reminded on April 17, 2001 and if necessary, will be reminded again after June 15, 2001 to know further development in the matter.

This matter may be taken up by 11/12

Re : Approach of the Government of India to the Government of U.S.A. with the request to make available to this Commission all documents, whether unclassified or declassified or classified, relating to Netaji Subhas Chandra Bose lying in the custody of C.I.A. or its predecessor, i.e. office of the Strategic Services.

The Secretary, Ministry of External Affairs, Government of India, was requested in Commission's letter No. JMCI/DOC(FOR)/-56/49 dated April 27, 2001, to kindly take up with the Government of U.S.A. the matter of making available to the Commission all the above-noted documents for scrutiny by or on behalf of the Commission and provide the Commission with Micro-Film/Micro-Fiche of the relevant documents for the purpose of its inquiry. The Ministry of External Affairs in their letter dated May 25, 2001, a copy of which was endorsed to the Commission, requested the Deputy Chief of Mission, Embassy of India, Washington, (U.S.A.) to take up the matter with the concerned authorities and keep informed the Ministry of External Affairs of their response.

15. Re : Revised Tour Programme of the Hon'ble Chairman of the Commission for visit to the U.K. accompanied by the Secretary of the Commission and the Director General of National Archives, Government of India, for a period of three weeks from 07.07.2001 to study the files/records at the British Library, London and to examine the witnesses who may be available there.

*Sanction
Letter
4/7*
The above matter has been taken up with the Ministry of Home Affairs and the Ministry of External Affairs, Government of India, for Government sanction of air-fare to and fro London, T.A., local transport, etc. for the team of the Commission as also for arrangement of accommodation for the team of the Commission in London.

16. Re : The note of Mr. L. Lochner, an American Journalist and a Pulitzer Prize Winner, at page 130 of "The Goebbels Diaries" edited and translated by him stating inter alia that Subhas Chandra Bose "Left for Japan and, according to reports, was seized there by the Americans, tried and executed for treason."

The Secretary, Ministry of External Affairs, Government of India, was requested in Commission's letter No. JMCI/DOC(FOR)/99-2000/56/41 dated April 24, 2001 to send to the Commission

the present address of Mr. Lochner, if he is still alive, so that the Commission may communicate with Mr. Lochner and request him to produce documents, if any, in support of his claim that Netaji was captured by the Americans and was executed on the charge of treason. The Ministry of External Affairs, Government of India in their letter dated May 10, 2001, requested inter alia the Deputy Chief of Mission, Embassy of India, Washington, (U.S.A.) to furnish the information required by the Commission regarding Mr. Lochner and a copy of the said letter dated May 10, 2001 has been endorsed to the Commission. The Commission has in the meantime obtained from the local American Centre, through Internet, the information that Mr. Lochner died on January 8, 1975 in West Germany.

17. Re : The report captioned, "Sleeping Bomb lies in Netaji Vault" authored by Shri Chandan Nandy and published in the Telegraph, Calcutta edition, dated March 26, 2001.

In terms of the reply received from the Cabinet Secretariat, Government of India, contained in their letter dated 17.05.2001, the Secretary, Ministry of Home Affairs, Government of India, has been furnished with a xerox copy of the above report and has been requested in Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/108 dated May 28, 2001 to send to the Commission a detailed report in the matter as expeditiously as possible.

18. Re : Examination of living Japanese Witnesses

Under Commission's letter No. JMCI/Overseas/Witnesses/2000-01/70/513 dated February 7, 2001, lists of Japanese witnesses examined before Shah Nawaz Khan Committee and Justice Khosla Commission were sent to the Ministry of External Affairs, Government of India, with the request to obtain the present address of each of the aforesaid witnesses who are still living and furnish the same to the Commission as expeditiously as possible to enable it to prepare a programme for examination of all the available witnesses in Japan. In response thereto, the Ministry of External Affairs, Government of India sent to the Commission a list of contact addresses of the Japanese witnesses. In Commission's letter dated April 11, 2001, the Ministry of External Affairs, Government

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of India, was informed about the desire of the Hon'ble Chairman to visit Japan for the purpose of examination of living Japanese witnesses as also of other competent local witnesses. They were requested to extend the help of the Indian Embassy in Japan in the matter of publication of the Notice to be issued by the Commission for its hearing and to provide personnel, like, Stenographer, Interpreter from English to Japanese and vice-versa, Assistants and other supporting personnel besides providing equipments, like, Typewriter, Tape-recorder, etc. for the purpose of proposed hearing in Japan. The Ministry of External Affairs, Government of India, in their letter dated April 27, 2001, requested the Deputy Chief of Mission, Embassy of India, Tokyo, accordingly and a copy of the said letter was endorsed to this Commission. The Ministry of External Affairs, Government of India, with their letter dated May 18, 2001, sent a copy of the letter dated May 11, 2001 of the First Secretary, Embassy of India in Japan wherein the latter wanted to know inter alia the dates and duration of the proposed visit of the Commission to Japan. Further action in the matter is expected to be taken after finalisation of the tour programme of the Commission to the U.K.

19. : Re : Extension of the term of the Commission

NA | A copy of the Notification No.S.O.429(E) dated May 14, 2001 published in the Gazette of India, Extraordinary, dated May 14, 2001 extending the term of the Commission for another year beyond 14.05.2001 has been received.

Sl. No. 39 (F)



JUSTICE LAUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11A Mirza Ghalib Street, Calcutta 700 087

Phone:

Chairman: 22007904
Secretary: 22007905
Officer on Special Duty: 22007906
Clerk: 22007907

No. JMCI/Meeting-Proceedings(Follow Up)/-Calcutta, dated, the 19.06.2001.
48(Vol.II)/161(5)

From : Shri M. Roy, IAS (Retd.),
Officer on Special Duty

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

S i r,

I am directed to send herewith a copy of the Status Report as on June 11, 2001 showing action taken on/compliance with the orders/directions of the Commission including those contained in the proceedings dated 04.04.2001 read with the proceedings dated 23.03.2000, 13.06.2000, 31.08.2000, 28.09.2000, 23.11.2000, and 22.12.2000 as also the orders dated 25.01.2001 in pursuance of the hearing dated 17.01.2001 of this Commission, for your kind perusal and favour of taking necessary action.

Yours faithfully,

(Signature)

(M. Roy)

Officer on Special Duty

Encl : As stated.

(Handwritten signature)
10/7

To me

Status Report as on 11.06.2001 showing action taken on/compliance with the orders/directions of the Commission including those contained in proceedings dated 04.04.2001 read with the proceedings dated 23.03.2000, 13.06.2000, 31.08.2000, 28.09.2000, 23.11.2000, and 22.12.2000 as also orders dated 25.01.2001 in pursuance of the hearing dated 17.01.2001 of Justice M.K. Mukherjee Commission of Inquiry.

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1. Re : Examination of Witnesses

- (a) Fresh summonses have been sent to Sm. Prova Jagannathan and Shri Mubarak Mazdoor by Registered Post with A.D. for their examination as witnesses on the next date of hearing fixed on June 13, 2001 in compliance with the orders/directions contained in the proceedings dated April 4, 2001. A/D.s are awaited.
- (b) A letter bearing No.JMCI/Meeting-Proceedings (Follow Up)/48. Vol.III/70 dated May 14, 2001 was sent by Registered Post with A/D. to Shri Brojogopal Mukherjee, wherein Shri Mukherjee was directed to forward to the Commission within four weeks from the date of receipt of the said letter, an English version of the article, "Babu Bose : MANN HINTER DEN FRONTEN (Man behind the front)", said to have been published in the German magazine, "Inter Press" dated 28.10.49, supported by an affidavit to be duly sworn by Shri Mukherjee to the effect that it has been truly and correctly translated. The said letter was issued in compliance with the orders/directions contained in the proceedings dated April 4, 2001 of the Commission. The Acknowledgement Card bearing purported signature dated 19.05.2001 of Shri Mukherjee thereon has been received back.
- (c) Five witnesses were examined on Commission by Shri N.K. Panja, Principal Private Secretary at Lucknow in the last week of April, 2001.

2. Re : Claim of privilege

- (a) A supplementary affidavit dated April 27, 2001 sworn by Shri Kamal Pandey, Home Secretary, Government of India, in compliance with the order/direction dated

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January 25, 2001 read with those dated April 4, 2001 of the Hon'ble Chairman, has been received on April 30, 2001.

- (b) The two files of the Ministry of Home Affairs, Government of India, which contain documents about which privilege has been claimed by the Home Secretary have been received back on call. In his order dated June 7, 2001, the Hon'ble Chairman has observed that appropriate orders regarding the said claim of privilege of the Home Secretary will be passed after the declassified documents/records at the British Library, London are perused and the witnesses available in the U.K. are examined during his visit to the U.K. in July, 2001.

3. Re : Examination of Dr.(Col.) Lakshmi Sehgal (Ex-INA)

Dr.(Col.) Lakshmi Sehgal has been examined on Commission at Kanpur by Shri P.K. Sengupta, Secretary of the Commission on June 4, 2001 in presence of some of the deponents including Shri V.P. Saini, Dr. Alokesh Bagchi, Shri Anil Krishna Mukherjee, and Shri Subrata Bose who cross-examined her.

4. Re : Examination of Shri Sugata Bose, S/o. Late Dr. Sisir Kumar Bose

In Commission's letter dated February 23, 2001 Shri Sugata Bose was requested inter alia to send an affidavit duly sworn by him in respect of his contentions that there is strong evidence that Netaji Subhas Chandra Bose had been tragically killed in an air crash in Taipei on 18th August, 1945 and that there is absolutely no evidence that Netaji was spotted in a variety of places subsequent to that day. He was further requested to furnish to the Commission xerox copies of all evidence collected by Dr. Sisir Kumar Bose as stated by him in his letter dated February 2, 2001 addressed to the Commission. In response to the said letter dated February 23, 2001, Shri Bose has simply enclosed with his letter dated May 14, 2001 a copy of his earlier letter dated February 2, 2001 bearing an endorsement of a Notary Public thereon. In Commission's letter dated May 25, 2001, the said letter dated May 14, 2001 of Shri Bose was

contd...P.3.

was acknowledged and Shri Bose was again requested to keep the Commission informed of his programme of next visit to India well-ahead so that the Commission may examine him as a witness, if required.

5. Re : Counter-affidavits of the Government of India to respond to the allegations/contentions/averments concerning them as incorporated in some affidavits.

- (i) Xerox copies of the affidavits/supplementary affidavits filed before the Commission by (a) Shri Jyotish Chandra Bose and eight others, (b) Shri Subrata Bose and two others, (c) All India Forward Bloc and another, (d) Shri Nirmal Sinha and three others, (e) Shri Madhusudan Pal, and (f) Shri Bijan Ghosh were sent by the Commission to the Secretary, Ministry of Home Affairs, Government of India, in September, 2000 so that the concerned Ministries/Departments of the Government of India, could file within six weeks, their respective counter-affidavits, if any, in respect of the averments/contentions/allegations contained in the aforesaid affidavits. No such counter-affidavits have yet been received.
- (ii) Shri Nandalal Chakravarty, one of the co-deponents of the affidavit/supplementary affidavits filed on behalf of Shri Jyotish Chandra Bose and eight others, has filed a petition dated May 25, 2001 with an enclosure thereto wherein he has mentioned various documents referred to in their aforesaid affidavit/supplementary affidavits and urged upon the Commission to take immediate steps for production of those documents by the appropriate authorities as the said documents are claimed by the said deponents to be having significant bearing on the issues under consideration of the Commission. Accordingly, xerox copies of the said petition dated May 25, 2001 and its enclosure were sent to the Secretary, Ministry of Home Affairs, Government of India, with Commission's letter No. JMCI/Affidavit-Averments(Follow Up)/2000-2001/67/132 dated May 30, 2001 with the request to arrange to furnish the original or authenticated copies of the documents mentioned therein.
- (iii) A xerox copy of the affidavit dated March 3, 2000 filed by Shri Usha Ranjan Bhattacharya along with one copy of the book authored by him titled, "Netaji was murdered in Red Fort" has been sent to the Secretary, Ministry of Home Affairs,

Government of India, as also to the Secretary, Ministry of External Affairs, Government of India under Commission's letters dated May 30, 2001 with the request that the concerned Ministries/Departments of the Government of India may file their respective counter-affidavits, if any, responding to the allegations made in the said affidavit and the book, within six weeks from the date of receipt of the letter.

6. Re : Paras (a)(i) and (a)(iii) of the proceedings dated March 23, 2000 of the Commission.

The position reflected in the Status Report as on April 2, 2001 (forenoon) remains unchanged. The Secretary, Ministry of Home Affairs, Government of India, has been requested in Commission's letter dated June 1, 2001 to ensure expeditious action for sending to the Commission the remaining files/documents concerned along with supporting affidavits by the concerned Ministries/Departments of the Government of India and to send to the Commission an interim "Action Taken Report" within four weeks from the date of receipt of the letter.

7. Re : Para B(i) of the proceedings dated August 31, 2000 of the Commission

The position reflected in the Status Report as on April 2, 2001 (forenoon) remains unchanged. The Secretary, Ministry of Home Affairs, Government of India, has been requested in Commission's letter dated June 1, 2001 that all the documents/records/files actually produced/filed/made exhibits before Justice Khosla Commission are required to be produced before this Commission immediately along with the supporting affidavits. He has also been requested to send to the Commission an interim "Action Taken Report" within four weeks from the date of receipt of the letter.

8. Re : Para B.5 of the proceedings dated November 23, 2000 of the Commission

The position reflected in the Status Report as on April 2, 2001 (forenoon) remains unchanged. The Secretary, Ministry of External Affairs, Government of India, has been requested in Commission's letter dated June 1, 2001 that all the exhibits/documents/records called for by and/or filed before the Shah Nawaz Khan Committee should be filed before this

Commission immediately with the supporting affidavit. He has also been requested to send to this Commission an interim "Action Taken Report" in the matter within four weeks from the date of receipt of the letter.

9. Re : Filing of affidavit by the Intelligence Bureau, Government of India, in respect of availability/non-availability of records pertaining to Netaji/I.N.A. in the Intelligence Bureau, Government of India.

The position reflected in the Status Report as on April 2, 2001 (forenoon) remains unchanged. The Secretary, Ministry of Home Affairs, Government of India, has been requested in Commission's letter dated June 1, 2001 to advise the Intelligence Bureau to file their requisite affidavit without any further avoidable delay and if the process of rechecking is yet to be completed by the Intelligence Bureau, they should submit an interim report stating clearly when they will file their duly sworn affidavit. The Secretary has also been requested to send to the Commission as quickly as possible a transcribed copy of the Micro-Film of the records given to the Shah Nawaz Khan Committee.

10. Re : Para 3(b)(iii) of the proceedings dated September 28, 2000 of the Commission

In Commission's letter dated June 1, 2001, Joint Secretary(I.S.), Ministry of Home Affairs, Government of India, has been requested with reference to her affidavit dated February 27, 2001 to send to the Commission immediately after due authentication the documents available with the Government of India out of the documents called for by the Commission in terms of its orders/directions contained in para 3(b)(iii) of its proceedings dated September 28, 2000.

11. Re : Para A(ii) of the proceedings dated August 31, 2000 of the Commission

The position reflected in the Status Report as on April 2, 2001 (forenoon) remains unchanged. The Secretary of the Prime Minister's office, Government of India, has been requested in Commission's letter dated June 1, 2001 to arrange to file before the Commission immediately an affidavit, duly sworn, stating :

- (a) Whether any of the files/records relevant to the terms of reference of this Commission has been destroyed;
- (b) If any such files/records have been destroyed -
- (i) the details thereof;
 - (ii) the reasons for such destruction;
 - (iii) the date(s) when those were destroyed;
 - (iv) the place where those were destroyed; and
 - (v) whether copies of the documents contained in those destroyed files/records have been kept or maintained and if not, the reasons therefor.

He has also been requested to send to the Commission an interim "Action Taken Report" in the matter within four weeks from the date of receipt of the letter.

12. Re : Affidavit dated February 1, 2001 filed before the Commission by Shri Falguni Rajkumar, Joint Secretary, (TRG) C.A.O., of the Ministry of Defence, Government of India, New Delhi.

The position reflected in the Status Report as on April 2, 2001 (forenoon) remains unchanged. The Secretary, Ministry of Defence, Government of India, has been requested in Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/92 dated May 23, 2001 to expedite submission before the Commission a duly sworn affidavit about existence or non-existence or availability or non-availability of the records of the proceedings of the trial of the I.N.A. personnel held at the Red Fort, New Delhi. He has also been ~~request~~ requested to expedite submission before the Commission complete records of the said proceedings if the same are available.

13. Re : Perusal of documents on Netaji/INA lying in different archives of Russian Union as also in the archives within the residual territory of the erstwhile USSR.

The position reflected in the Status Report as on April 2, 2001 (forenoon) remains unchanged. The Secretary, Ministry of Home Affairs, Government of India, has been reminded on April 17, 2001 and if necessary, will be reminded again after June 15, 2001 to know further development in the matter.

14. Re : Approach of the Government of India to the Government of U.S.A. with the request to make available to this Commission all documents, whether unclassified or declassified or classified, relating to Netaji Subhas Chandra Bose lying in the custody of C.I.A. or its predecessor, i.e. office of the Strategic Services.

The Secretary, Ministry of External Affairs, Government of India, was requested in Commission's letter No.JMCI/DOC(FOR)/-56/49 dated April 27, 2001, to kindly take up with the Government of U.S.A. the matter of making available to the Commission all the above-noted documents for scrutiny by or on behalf of the Commission and provide the Commission with Micro-Film/Micro-Fiche of the relevant documents for the purpose of its inquiry. The Ministry of External Affairs in their letter dated May 25, 2001, a copy of which was endorsed to the Commission, requested the Deputy Chief of Mission, Embassy of India, Washington, (U.S.A.) to take up the matter with the concerned authorities and keep informed the Ministry of External Affairs of their response.

15. Re : Revised Tour Programme of the Hon'ble Chairman of the Commission for visit to the U.K. accompanied by the Secretary of the Commission and the Director General of National Archives, Government of India, for a period of three weeks from 07.07.2001 to study the files/records at the British Library, London and to examine the witnesses who may be available there.

The above matter has been taken up with the Ministry of Home Affairs and the Ministry of External Affairs, Government of India, for Government sanction of air-fare to and fro London, T.A., local transport, etc. for the team of the Commission as also for arrangement of accommodation for the team of the Commission in London.

16. Re : The note of Mr. L. Lochner, an American Journalist and a Pulitzer Prize Winner, at page 130 of "The Goebbels Diaries" edited and translated by him stating inter alia that Subhas Chandra Bose "Left for Japan and, according to reports, was seized there by the Americans, tried and executed for treason."

The Secretary, Ministry of External Affairs, Government of India, was requested in Commission's letter No.JMCI/DOC(FOR)/99-2000/56/41 dated April 24, 2001 to send to the Commission

109/

the present address of Mr. Lochner, if he is still alive, so that the Commission may communicate with Mr. Lochner and request him to produce documents, if any, in support of his claim that Netaji was captured by the Americans and was executed on the charge of treason. The Ministry of External Affairs, Government of India in their letter dated May 10, 2001, requested inter alia the Deputy Chief of Mission, Embassy of India, Washington, (U.S.A.) to furnish the information required by the Commission regarding Mr. Lochner and a copy of the said letter dated May 10, 2001 has been endorsed to the Commission. The Commission has in the meantime obtained from the local American Centre, through Internet, the information that Mr. Lochner died on January 8, 1975 in West Germany.

17. Re : The report captioned, "Sleeping Bomb lies in Netaji Vault" authored by Shri Chandan Nandy and published in the Telegraph, Calcutta edition, dated March 26, 2001.

In terms of the reply received from the Cabinet Secretariat, Government of India, contained in their letter dated 17.05.2001, the Secretary, Ministry of Home Affairs, Government of India, has been furnished with a xerox copy of the above report and has been requested in Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/108 dated May 28, 2001 to send to the Commission a detailed report in the matter as expeditiously as possible.

18. Re : Examination of living Japanese Witnesses

Under Commission's letter No. JMCI/Overseas/Witnesses/2000-01/70/513 dated February 7, 2001, lists of Japanese witnesses examined before Shah Nawaz Khan Committee and Justice Khosla Commission were sent to the Ministry of External Affairs, Government of India, with the request to obtain the present address of each of the aforesaid witnesses who are still living and furnish the same to the Commission as expeditiously as possible to enable it to prepare a programme for examination of all the available witnesses in Japan. In response thereto, the Ministry of External Affairs, Government of India sent to the Commission a list of contact addresses of the Japanese witnesses. In Commission's letter dated April 11, 2001, the Ministry of External Affairs, Government

of India, was informed about the desire of the Hon'ble Chairman to visit Japan for the purpose of examination of living Japanese witnesses as also of other competent local witnesses. They were requested to extend the help of the Indian Embassy in Japan in the matter of publication of the Notice to be issued by the Commission for its hearing and to provide personnel, like, Stenographer, Interpreter from English to Japanese and vice-versa, Assistants and other supporting personnel besides providing equipments, like, Typewriter, Tape-recorder, etc. for the purpose of proposed hearing in Japan. The Ministry of External Affairs, Government of India, in their letter dated April 27, 2001, requested the Deputy Chief of Mission, Embassy of India, Tokyo, accordingly and a copy of the said letter was endorsed to this Commission. The Ministry of External Affairs, Government of India, with their letter dated May 18, 2001, sent a copy of the letter dated May 11, 2001 of the First Secretary, Embassy of India in Japan wherein the latter wanted to know inter alia the dates and duration of the proposed visit of the Commission to Japan. Further action in the matter is expected to be taken after finalisation of the tour programme of the Commission to the U.K. (110

19. : Re : Extension of the term of the Commission

A copy of the Notification No.S.O.429(E) dated May 14, 2001 published in the Gazette of India, Extraordinary, dated May 14, 2001 extending the term of the Commission for another year beyond 14.05.2001 has been received.

S.M. 100

111

Most Immediate
By Speed Post

From : MUKESH MITTAL
Deputy Secretary (IS-I)
Ministry of Home Affairs,
North Block, New Delhi.
Tele.No.301 2478 (O)

To : Shri P.K. Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
B Block (IIIrd Floor)
11/A, Mirzagalib Street,
Kolkata-700 087.

No.I-12014/13/2001-IS (D.III)

Dated, the 3rd July, 2001

Subject: **Documents relating to death of Netaji Subhas Chandra Bose.**

Sir,

I am directed to refer to your letter No.JMCI/Meeting-Proceedings (Follow-up)/48(Vol.III)/137 dated 1st June 2001 on the subject noted above and to send herewith, authenticated documents made available to Shah Nawaz Khan Committee by the Intelligence Bureau vide their letter No.1/INA/54 dated 22nd June, 1956. These documents have been transcribed from the micro film and have also been declassified by the Intelligence Bureau.

2. With reference to your letter No.JMCI/Meeting-Proceedings (Follow-up)/48(Vol.III)/138 dated 1st June, 2001, asking the Intelligence Bureau to file an affidavit, it may be clarified that availability of documents relating to the death of Netaji Subhas Chandra Bose was checked up with the Intelligence Bureau and only then an affidavit was filed by Smt. Sangita Gairola, Joint Secretary, Ministry of Home Affairs on 27.2.2001 stating therein the position in para-6 thereof about availability of documents as intimated by Intelligence Bureau. Please confirm whether the Intelligence Bureau still needs to file a separate affidavit.

3. Kindly acknowledge receipt.

Encl: As above.

(26 pages & 5 photographs)

Yours faithfully,


3/7

(MUKESH MITTAL)
Deputy Secretary (IS-I)

By Speed Post

Please advise

3/7/2001

1. Shri M. G. 2
MS. 2
3/7

15/07/01
To me

S. no. 42

MOST IMMEDIATE

MINISTRY OF HOME AFFAIRS
IS DIVISION (US D.IV)

★ ★ ★ ★

Intelligence Bureau may please refer to Smt. Sangita Gairola, Joint Secretary (IS-I), Ministry of Home Affairs, D.O. letter of even number dated June 18, 2001 addressed to Director, Intelligence Bureau, communicating therein inter alia that the Commission also expects Intelligence Bureau to file an affidavit in the matter. In this connection, attention is drawn to the Commission's letter No. JMCI/Meeting-Proceedings (Follow Up)/48(Vol.III)/138 dated June 1, 2001 enclosed with the said D.O. letter.

2. It is requested that necessary affidavit may be filed in the Commission and this Ministry apprised of the action taken within next 3 or 4 days.

(V.P. BHATIA)
UNDER SECRETARY TO THE GOVT. OF INDIA.

Intelligence Bureau (Shri Sanjay Sinha, Deputy Director), North Block, New Delhi.

MHA U.O.No. I/12014/13/2000-IS(D.III) dated 4.7.2001.

Please mm
lm
sn

15/12/02
To mm

S. M. 44
BY FAX

(FAX NO. 033-252 2765)

No. I-12014/13/2000-IS(D.III)
GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

* * * *

New Delhi, the 13th July, 2001.

To

Shri M. Roy, IAS (Retd.),
Officer on Special Duty,
Justice Mukherjee Commission on Inquiry,
'B' Block, (Third Floor),
11/A Mirza Ghalib Street,
KOLKATA - 700 087.

Subject : The report captioned "Sleeping Bomb lies in
Netaji Vault" authored by Shri Chandan Nandy
and published in the Telegraph, Calcutta edition
dated March 26, 2001.

* * *

Sir,

I am directed to refer to para 17 of the Status Report
as on June 11, 2001 sent with your letter No. JMCI/Meeting-
Proceedings(Follow Up)/48(Vol.II)/161(5) dated 19.6.2001 on the
subject noted above.

2. In this connection, it may be stated that the
Government has seen the news item and with regard to the records
mentioned therein, necessary inquiries have been made and the
Commission has been informed that Intelligence Bureau has no
material which has a bearing on the alleged disappearance of
Netaji/INA in addition to what was given to Shah Nawaz Inquiry
Committee in 1956. These papers have already been made
available to the Commission vide this Ministry's letter No. I-
12014/13/2001-IS(D.III) dated the 3rd July, 2001. It may
further be stated that the Commission has directed various
Ministries/Departments to submit certain documents/records in
connection with the inquiry. Various documents/records are
being made available to the Commission from time to time by all
concerned.

Yours faithfully,

(V.P. BHATIA)
UNDER SECRETARY TO THE GOVT. OF INDIA.

(114)

MESSAGE CONFIRMATION

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Sl. no. 45

(115)

Most Immediate
(Through FAX)/By Post

From: Mukesh Mittal,
Deputy Secretary (IS-I),
Government of India
Ministry of Home Affairs,
New Delhi.
Tele. No.301 2478(O)

To : Shri M.Roy, IAS (Retd.),
Officer on Special Duty,
Justice Mukherjee Commission of Inquiry,
'B' Block (IIIrd Floor),
11/A, Mirza Ghalib Street, Kolkata-700 087.
FAX No.033 216 2765
Tele. No.252 4767

No.I/12014/6/2001-IS(D.III)

Dated, the 17th July, 2001.

Sir,

Please refer to your letter No.JMCI/Meeting-Proceedings(Follow up)-48(Vol.II)/-161 (5) dated 19th June, 2001 regarding Status Report on Justice Mukherjee Commission of Inquiry.

2. The desired Action Taken Report in this regard is enclosed herewith for your kind perusal and necessary action please.

Encl: As above.

Yours faithfully,

(MUKESH MITTAL)
Deputy Secretary (IS-I)

dk



Status Report-Mukherjee Commission of Inquiry

Sl. No.	Status shown by Justice Mukherjee Commission of Inquiry.	Action taken/required to be taken.
1.	<p><u>Claim of privilege:</u></p> <p>(a)A supplementary affidavit dated April 27, 2001 sworn by Shri Kamal Pandey, Home Secretary, Government of India, in compliance with the order/direction dated January 25, 2001 read with those dated April 4, 2001 of the Hon'ble Chairman, has been received on April 30, 2001.</p> <p>(b)The two files of the Ministry of Home Affairs, Government of India, which contain documents about which privilege has been claimed by the Home Secretary have been received back on call. In his order dated June 7, 2001, the Hon'ble Chairman has observed that appropriate orders regarding the said claim of privilege of the Home Secretary will be passed after the declassified documents/records at the British Library, London are perused and the witnesses available in the U.K. are examined during his visit to the U.K. in July, 2001.</p>	No action required.
2.	<p><u>Counter-affidavits of the Government of India to respond to the allegations/contentions/averments concerning them as incorporated in some affidavits:</u></p> <p>(i)Xerox copies of the affidavits/supplementary affidavits filed before the Commission by (a) Shri Jyotish Chandra Bose and eight others, (b) Shri Subrata Bose and two others, (c) All India Forward Bloc and another, (d) Shri Nirmal Sinha and three others, (e) Shri Madhusudan Pal, and (f) Shri Bijan Ghosh were sent by the Commission to the Secretary, Ministry of Home Affairs, Government of India, in September, 2000 so that the concerned Ministries/Departments of the Government of India, could file within six weeks, their respective counter-affidavits, if any, in respect of the averments/contentions/allegations contained in the aforesaid affidavits. No such counter-affidavits have yet been received.</p> <p>(ii)Shri Nandalal Chakravarty, one of the co-deponents of the affidavit/supplementary affidavits filed on behalf of Shri Jyotish Chandra</p>	<p>These affidavits have been sent to our Standing Counsel on 4.7.2001 for his legal opinion with regard to averments/contentions/allegations contained in the aforesaid affidavits. Based on his advice, we would revert to the Commission shortly.</p> <p>Copies of this affidavit along with the list of documents have been sent to MEA, IB, PMO,</p>

	<p>Bose and eight others, has filed a petition dated May 25, 2001 with an enclosure thereto wherein he has mentioned various documents referred to in their aforesaid affidavit/supplementary affidavits and urged upon the Commission to take immediate steps for production of those documents by the appropriate authorities as the said documents are claimed by the said deponents to be having significant bearing on the issues under consideration of the Commission. Accordingly, xerox copies of the said petition dated May 25, 2001 and its enclosure were sent to the Secretary, Ministry of Home Affairs, Government of India, with Commission's letter No.JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/132 dated May 30, 2001 with the request to arrange to furnish the original or authenticated copies of the documents mentioned therein.</p> <p>(iii)Xerox copy of the affidavit dated March 3, 2000 filed by Shri Usha Ranjan Bhattacharya along with one copy of the book authored by him titled, "Netaji was murdered in Red Fort" has been sent to the Secretary, Ministry of Home Affairs, Government of India, as also to the Secretary, Ministry of External Affairs, Government of India under Commission's letters dated May 30, 2001 with the request that the concerned Ministries/Departments of the Government of India may file their respective counter-affidavits, if any, responding to the allegations made in the said affidavit and the book, within six weeks from the date of receipt of the letter.</p>	<p>National Archives, MoD on 4.7.2001 to examine the contents and file affidavit, if required, directly before the Hon'ble Commission.</p> <p>This affidavit has also been sent to Standing Counsel for legal opinion on 4.7.2001. Based on his advice, we would revert to the Commission shortly.</p>
3.	<p><u>Paras (a) (i) and (a) (iii) of the proceedings dated March 23, 2000 of the Commission:</u> The position reflected in the Status Report as on April 2, 2001 (forenoon) remains unchanged. The Secretary, Ministry of Home Affairs, Government of India, has been requested in Commission's letter dated June 1, 2001 to ensure expeditious action for sending to the Commission the remaining files/documents concerned along with supporting affidavits by the concerned Ministries/Departments of the Government of India and to send to the Commission an interim "Action Taken Report? Within four weeks from the date of receipt of the letter.</p>	<p>On receipt of proceedings dated 23.3.2000, a copy thereof was sent to PMO, Ministry of Defence, Ministry of External Affairs for complying with the directions contained therein. It is basically for the Ministries/Departments to send a reply to the Commission.</p>

4.	<p><u>Para B (i) of the proceedings dated August 31, 2000 of the Commission:</u> The position reflected in the Status Report as on April 2, 2001 (forenoon) remains unchanged. The Secretary, Ministry of Home Affairs, Government of India, has been requested in Commission's letter dated June 1, 2001 that all the documents/records/files actually produced/filed/made exhibits before Justice Khosla Commission are required to be produced before this Commission immediately along with the supporting affidavits. He has also been requested to send to the Commission an interim "Action Taken Report" within four weeks from the date of receipt of the letter.</p>	<p>An affidavit has been filed by JS(IS-I) on 27.2.2001 stating inter-alia that records pertaining to Khosla Commission of Inquiry have already been made available to the Commission. No further records of Khosla Commission have become available.</p>
5.	<p><u>Filling of affidavit by the Intelligence Bureau, Government of India in respect of availability/non availability of records pertaining to Netaji/INA in the Intelligence Bureau:</u> The position reflected in the Status Report as on April 2, 2001 (forenoon) remains unchanged. The Secretary, Ministry of Home Affairs, Government of India, has been requested in Commission's letter dated June 1, 2001 to advise the Intelligence Bureau to file their requisite affidavit without any further avoidable delay and if the process of rechecking is yet to be completed by the Intelligence Bureau, they should submit an interim report stating clearly when they will file their duly sworn affidavit. The Secretary has also been requested to send to the Commission as quickly as possible a transcribed copy of the Micro-Film of the records given to the Shah Nawaz Khan Committee.</p>	<p>A note dated 4.7.2001 has been sent to IB requesting therein to file the necessary affidavit before the Commission. However, as the Hon'ble has also been requested to clarify whether IB needs to file a separate affidavit keeping in view the affidavit filed by JS(IS-I), MHA on 27.2.2001. The reply of the Hon'ble Commission is awaited on this point.</p> <p>Authenticated transcribed copy of Micro-film of the records given to Shah Nawaz Khan Committee has been sent to the Commission vide letter dated 3.7.2001, addressed to Secretary to the Commission.</p>
6.	<p><u>Para 3(b)(iii) of the proceedings dated Sept. 28, 2000 of the Commission:</u> In Commission's letter dated June 1, 2001, Joint Secretary (I.S.), Ministry of Home Affairs, Government of India, has been requested with reference to her affidavit dated February 27, 2001 to send to the Commission immediately after due authentication the documents available with the Government of India out of the documents called for by the Commission in terms of its orders/directions contained in para 3(b)(iii) of</p>	<p>In the affidavit dated 27.2.2001 filed by JS(IS-I), it was stated that the documents ordered to be produced vide para 3(b) (iii) of the proceedings dated 28.9.2000 are not available in the Ministry of Home Affairs and even with other offices consulted on this matter. Hence it</p>

	its proceedings dated September 28, 2000.	was regretted that these documents cannot be produced before the Commission.
7.	<u>Perusal of documents on Netaji/INA lying in different archives of Russian Union as also in the archives within the residual territory of the erstwhile USSR:</u> The position reflected in the Status Report as on April 2, 2001 (forenoon) remains unchanged. The Secretary, Ministry of Home Affairs, Government of India, has been reminded on April 17, 2001 and if necessary, will be reminded again after June 15, 2001 to know further development in the matter.	Justice Mukherjee Commission of Inquiry may take up this issue with Ministry of External Affairs. Once its programme is finalized, necessary sanction would be processed in this Ministry.
8.	<u>Revised tour programme of the Hon'ble Chairman of the Commission for visit to the U.K. :</u> The matter has been taken up with the Ministry of Home Affairs and the Ministry of External Affairs, Government of India, for Government sanction of air-fare to and fro London, T.A., local transport, etc. for the team of the Commission as also for arrangement of accommodation for the team of the Commission in London.	Sanction order has been issued on 13.7.2001.
9.	<u>The report captioned, "Sleeping Bomb lies in Netaji Vault" authored by Shri Chandan Nandy and published in the Telegraph, Calcutta edition, dated March 26, 2001:</u> In terms of the reply received from the Cabinet Secretariat, Government of India, contained in their letter dated 17.5.2001, the Secretary, Ministry of Home Affairs, Government of India, has been furnished with a xerox copy of the above report and has been requested in Commission's letter No.JMCI/Records/N.Delhi/99-2000/37/108 dated May 28, 2001 to send to the Commission a detailed report in the matter as expeditiously as possible.	Based on reply to Parliament Question (Unstarred Question No.4290 answered in the Rajya Sabha on 25.4.2001), a letter has been sent to OSD in JMCI on 13.7.2001 explaining the position.
10.	<u>Extension of the term of the Commission:</u> A copy of the Notification No.S.O.429(E) dated May 14, 2001 published in the Gazette of India, Extraordinary, dated May 14, 2001 extending the term of the Commission for another year beyond 14.5.2001 has been received.	No action required.

MESSAGE CONFIRMATION

JUL-17-01 10:55

FAX NUMBER :

NAME :

FAX NUMBER : 0332522765

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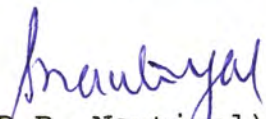
RESULTS : O.K

Intelligence Bureau
(Ministry of Home Affairs)

...

Sub: Justice Mukherjee Commission of Inquiry

MHA may please refer to their U.O. No.I/12014/13/2000-IS(D.III) dated 4.7.2000 directing IB to file an affidavit with the Justice Mukherjee Commission of Inquiry stating the factual position in regard to availability or non-availability of records pertaining to the disappearance of Netaji Subhash Chandra Bose. It is requested that a copy of the affidavit filed by the MHA, in so far it related to IB, may please be made available for enabling us to prepare the affidavit.


(P.P. Nautiyal)
Addl Deputy Director

MHA (Shri VP Bhatia, Under Secretary - IS (D-III))
DIB UO No.IV/8(66)/2001-1129 dated -12/7/01

MINISTRY OF HOME AFFAIRS
IS DIVISION (US D.IV)

* * * *

Intelligence Bureau may please refer to their U.O. No. IV/8(66)/2001-1129 dated 12.7.2001 regarding a reference from Justice Mukherjee Commission of Inquiry directing IB to file an affidavit with Justice Mukherjee Commission of Inquiry stating the factual position in regard to availability or non-availability of records pertaining to the disappearance of Netaji Subhas Chandra Bose.

2. As desired, a copy of the affidavit filed by Smt. Sangita Gairola, Joint Secretary (IS-I), Ministry of Home Affairs, on 27.2.2001 before Justice Mukherjee Commission of Inquiry is enclosed herewith for perusal/reference. It is requested that the required affidavit may please be filed with the Commission expeditiously and this Ministry kept apprised of the position.

(V.P. BHATIA)
UNDER SECRETARY TO THE GOVT. OF INDIA.

Intelligence Bureau (Shri P.P. Nautiyal, Additional Deputy Director), New Delhi.

MHA I.D.Note No. I/12014/13/2000-IS(D.III) dated 18.7.2001.

ml
18/7/01
18/7

Please mm

lm
18/7

15/7/01
To me

10347/DS(51)2001
12/12

SECRET/IMMEDIATE

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njay Sinha
Joint Director

DO No. IV/8(66)/2001-2195

आखुवना ब्यूरो

गृह मंत्रालय

भारत सरकार

INTELLIGENCE BUREAU

(Ministry of Home Affairs)

Government of India



नई दिल्ली, दिनांक 20

New Delhi, dated 20

Dear

20/12/2001

Kindly refer to your letter No.JMCI Meeting-proceedings (Follow Up) 48(Vol.III) 196 dated 5.7.2001 addressed to the Secretary, MHA, New Delhi enclosing thereunder a copy of a list of exhibits, marked as "Com.No" of Justice Khosla Commissions of Inquiry, which was given to Honourable Justice Mukherjee Commission of Inquiry on 3.7.01 by a deponent, Sunil Krishna Gupta.

2. The list of exhibits furnished by the deponent has been examined. Out of all the documents listed by the deponent, documents mentioned against 33 Com.Nos. [Com.No. 6A, 6B, 6C, 6D, 7, 7A, 7D, 11, 23A, 23B, 24A, 24B, 24D, 24E, 24F, 24G, 25B, 25C, 25D, 28E, 28F, 28G, 28H, 28I, 28J, 28K, 28V, 28Y, 28Z, 30(R)(2), 30(S)(2) and 30(V)(1)] may have been of IB. Out of them 12 documents, which appear to be the ones mentioned against 23 Com.Nos. have already been provided to the MHA (contents, date, originator, etc., matches but page reference not clear) vide IB letter No. IV/8(66) 2001-918 dated 20.06.01 and these have since been sent to the Commission by MHA vide their No. I-12014 13 2001-IS (1D-III) dated 3.7.01. Copies of these 12 documents are enclosed for ready reference vide annexures I to XII.

3. Of the remaining documents mentioned against 10 Com.Nos. [Com.No. 7, 7A, 11, 25B, 25C, 25D, 30(R)(2), 30(S)(2) and 30(V)(1)], copies of documents mentioned against 4 Com. Nos [Com 11, 30(R)(2), 30(S)(2) and 30(V)(1)] are available in the PMO. The corresponding office copies of these documents in the IB have been destroyed. The PMO has intimated that they would be submitting these documents to the Commission. None of the other documents mentioned in the list is presently available with IB. The concerned files have been destroyed.

4. As desired, an affidavit in regard to non-availability of documents is also enclosed.

USAIV
20/12/2001

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5. It is further mentioned that in all the IB has a total of 76 old files (original files-5 and files on microfilm-71) on various aspects of the INA or Subhash Chandra Bose, but unrelated to the disappearance of Subhash Chandra Bose. Hence, they have not been furnished to the Commission. However, if the Commission so desires, it may depute an officer to examine these files at the IB Hqrs., New Delhi. A list of these files, with a brief description of the contents of each, is also enclosed.

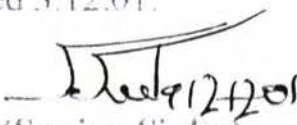
Yours

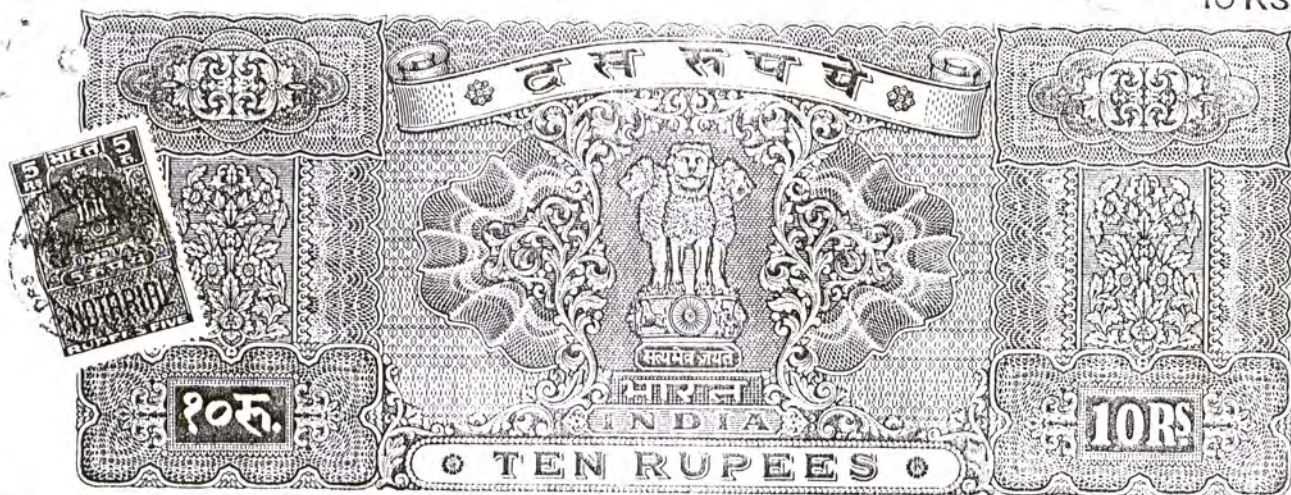
(Sanjay Sinha)

Shri PK Sengupta,
Secretary, Justice Mukherjee Commission of Inquiry,
"B" Block (IIIrd Floor),
11 A, Mirza Galib Street,
Calcutta-700087.

Encl:-As above.

✓ Copy alongwith a copy of the affidavit and other enclosures to Shri Mukesh Mittal, Deputy Secretary, MHA, North Block, New Delhi. This refers to MHA ID No.112014-13-2000-IS(D-III) dated 14.08.01. This also disposes of MHA UO No.112014-13-2001-IS (D-III) dated 3.12.01.


(Sanjay Sinha)



BEFORE THE HONOURABLE JUSTICE MUKHERJEE COMMISSION OF
INQUIRY AT CALCUTTA

IN THE MATTER OF COMPLIANCE WITH THE ORDERS/ DIRECTION OF
THE COMMISSION AS PASSED IN THE PROCEEDINGS AT CALCUTTA.

AFFIDAVIT

I, SANJAY SINHA working as Joint Director in Intelligence Bureau
(Ministry of Home Affairs) do solemnly affirm and state as under:-

1. That the Intelligence Bureau presently does not have any document
having a bearing on the disappearance of Netaji Subhash Chandra Bose other
than those already made available to the Shah Nawaj Khan Committee by the
Intelligence Bureau vide letter No 1/INA/54 dated 22.06.56. Copies of
these documents, transcribed from the micro film, have since been made
available to the Honourable Justice Mukherjee Commission of Inquiry vide
MHA letter No.I-12014/13/2001-IS(D-III) dated 3.7.01.

Sanjay Sinha



Sanjay Sinha
12.12.01
DIRECTOR

2. That with regard to the Secretary to Honourable Justice Mukherjee Commission of Inquiry letter No.JMCI/Meeting-Proceedings (Follow Up)/48(Vol.III)196 dated 5.7.01, addressed to the Secretary MHA, Government of India; which contained a copy of the list of exhibits marked as 'Com No' of Justice Khosla Commission of Inquiry, submitted by Sunil Krishna Gupta, one of the deponents of the affidavit bearing no. JMCI/11/2000 filed before Commission; it is submitted that copies of 12 documents which appeared to be the ones mentioned against 23 Com.nos of the aforesaid list, which pertained to the Intelligence Bureau, were made available to the MHA vide IB UO No. IV/8(66)/2001 dated 20.06.01. These have already been sent to the Commission vide MHA letter No.I-12014/13/2001-IS (D-III) dated 3.7.01. There are some other documents in the list which had originated from IB. However, none of these documents is presently available as the concerned files have been destroyed .

3. It is certified that apart from documents already made available to the Honourable Justice Mukherjee Commission of Inquiry, no other document is available with the IB which has a bearing on the disappearance of Netaji Subhash Chandra Bose.

Verification

I, SANJAY SINHA declare and affirm that what is stated above is true to my knowledge. No part of this affidavit is false and nothing material has been concealed.

Verified at New Delhi on December 11, 2001.



ATTESTED

11.12.01

SHANKAR DAS

ADVOCATE

NEW DELHI

MEMBER
SUPREME COURT OF INDIA
NEW DELHI

Sanjay Sinha
(SANJAY SINHA)
Deponent

Mr. R. Singh Adv. &c.
I Identify *Mr. R. Singh Adv. &c.* as the Deponent
who has signed in my presence

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DETAILS OF THE DOCUMENTS AVAILABLE WITH IB OUT OF THE LIST OF DOCUMENTS SUBMITTED BY SUNIL KRISHNA GUPTA BEFORE THE JUSTICE MUKHERJEE COMMISSION.

Sl. No.	Com. Nos.	Subject as mentioned in the list of documents given by Sunil Krishna Gupta.	Documents already given to the Commission by MHA vide their No. 1-12014 / 13-2001-IS (D-III) dtd 3.7.01 copies of which are enclosed for reference as mentioned below.
1.	6(A)	Pages 2 to 4. Finney's report dated 5.10.1945.	A 3 page report of PES Finney dt. 5.10.45 alongwith covering letter No 1 TNA 54 dt. 22.6.56 from IB to Shri Shah Nawaz Khan. Chairman. Netaji Enquiry Committee enclosed vide Annexure - I for ready reference.
2.	6(B)	Page 10 - Report by Counter Intelligence Corps dated 29.9.1945. GHQ-AFDAC.	Copy of a 2 page report of CIC, GHQ AFPAC dt. 29.9.45 enclosed vide Annexure-II. There is no page 10 in that.
3.	6(C)	Page 19 - Five photographs sent by GHQ, US ARMY FORCES, PACIFIC. Not published in the majority report but published in the Dissident report of S.C. Bose.	Copy of a 1 page report dt. 17.11.45 is enclosed vide Annexure-III. 5 photographs have already been sent to MHA vide IB No. IV/8(66) 2001-1018 dt. 2.7.01. There is no page 19 in that.
4.	6(D)	Page 20 - Extracts from CSDIC India Red Fort, Delhi. No. 2 Section report No. 1156 dated 31.12.1945 - Captain Habib -ur- Rehman Khan.	Copy of 10 page report No. 1156 dt. 31.12.45 enclosed vide Annexure IV. There is no page 20 in that.
5.	7(D)	Report by Counter Intelligence Corps dated 29.9.45 by GHQ, AFPAC, on the death of Subhas Chandra Bose.	Copy of 2 page report of CIC GHQ AFPAC dt. 29.9.45 enclosed vide Annexure - II already mentioned at Sl. No. 2 above.
6.	23(A)	Page 31-C Captain Habib-ur-Rehman C.S.D.I.C. 2 SEC Report 1156.	Copy of a 1 page report dt. 7.1.45 enclosed vide Annexure - V. There is no page 31-C in that.
7.	23(B)	Page 33 - Interrogation of Col. Yono Maraji. O.C. 2 Staff Section Southern Area Army, Singapore.	Copy of 2 page interrogation report enclosed vide Annexure - VI. There is no page 33 in that.

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8.	24(A)	Page 22 - Translation of messages regarding the death of Bose found in a file of reports belonging to H. KIKAN dated 24.9.1945.	Copy of a 1 page report dt. 24.9.45 enclosed vide Annexure - VII. We are not aware of page 22 mentioned in the previous column.
9.	24(B)	Page 7 - Interrogation Report - Major Takashashi, Kiyoji. Hiwari Kikan.	Copy of 1 page report dt. 25.9.45 enclosed vide Annexure - VIII. We are not aware of page 7 mentioned in the previous column. Hiwari Kikan may be read as Hikari Kikan.
10.	24(D)	Page 9 - Letter dt. 8.10.45 from Mr. John Figges to C in C India (BMI) re: death of S.C. Bose.	Copy of a 1 page report dt. 8.10.45 enclosed vide Annexure - IX. There is no page 9 in that. The word (BMI) may be read as (DMI).
11.	24(E)	Page 13 - Top secret letter No. DIB B.2 dt. 10.10. 1945 from Mr. P.E.B. Finney A.D. (DIB) Bangkok.	Copy of a 1 page report dt. 10.10.45 enclosed vide Annexure - X. There is no page 13 in that.
12.	24(F)	Page 14 - Report submitted by Mr. W.F.W. Davies, I.P. on Subhas Chandra Bose Saigon Enquiry (7.10.1945)	Copy of a 1 page report dt. 7.10.45 enclosed vide Annexure - XI. There is no page 14 in that.
13.	24(G)	Page 16 - Watanabe's report on SUBHAS CHANDRA BOSE dt. 12.11.1945 submitted by Mr. Finney.	Copy of a 1 page report dt. 12.11.45 enclosed vide Annexure - XII. There is no page 16 in that.
14.	28(E)	Page 9 - Surrender of the Japanese.	Appears to be a part of 10 page report enclosed vide Annexure - IV. We are not aware about page 9 mentioned in the previous column.
15.	28(F)	Page 10 - Departure to Bangkok.	Appears to be a part of 10 page report enclosed vide Annexure - IV. There is no page 10 in that.
16.	28(G)	Page 11 - Last movements of Bose.	Appears to be a part of 10 page report enclosed vide Annexure - IV. There is no page 11 in that.
17.	28(H)	Page 11 - At Saigon.	Appears to be a part of 10 page report enclosed vide Annexure - IV. There is no page 11 in that.
18.	28(I)	Page 13 - At Tourane.	Appears to be a part of 10 page report enclosed vide Annexure - IV. There is no page 13 in that.
19.	28(J)	Page 14 - The crash.	Appears to be a part of 10 page report enclosed vide Annexure - IV. There is no page 14 in that.

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20.	28(K)	Page 17 - At Tokyo.	Appears to be a part of 10 page report enclosed vide Annexure - IV. There is no page 17 in that.
21.	28(V)	Page 22 - As against Com.24(O) at p.4	No Com. 24(O) number mentioned in the list. It may be Com.24(G). A one page report of Watanabe on Subhash Chandra Bose dtd. 12.11.45 enclosed vide Annexure - XII.
22.	28(Y)	Page 41 - As against Com.6(B) at p.2.	Document mentioned against Com.6B already enclosed vide Annexure - II. However, there is no page No. 41 in that.
23.	28(Z)	Page 43 - Extract from report No. 1156 dt. 31.12.1945 on Habib-ur-Rehman.	Copy of 10 page report vide no 1156 dtd. 31.12.1945 already enclosed vide Annexure - IV. But there is no page No 43 in that.

ANNEXURE-I

com. 6(A)

SECRET

No. 1/HA/54.
Intelligence Bureau,
(Ministry of Home Affairs),
Government of India.

New Delhi-2, dated the
22 JUN 1956

Dear Mr. Shah Nawaz Khan,

As directed by Mr. Mullik, I forward herewith copies of the following reports bearing on the death of Netaji Subhas Chandra Bose :-

- (a) Report No. D-2, dated 5.10.45 by Mr. P.E.S. Finney, Assistant Director, Intelligence Bureau, with enclosure. (Translation of messages found in a file belonging to Hikari Kikan).
- (b) Report No. CX/49 dated 8.10.45 from Lt. Col. John Figgess, British Staff Section, U.S.A. Forces, and enclosure. (Report by Counter Intelligence Corps, G.H.Q. AFPC, dated 29.9.45).
- (c) Report dated 10.10.45 by Mr. P.E.S. Finney, and enclosure report dated 7.10.45 by Mr. W.F.H. Davies, Assistant Director, Intelligence Bureau.
- (d) Report dated 12.11.45 by Mr. P.E.S. Finney.
- (e) Letter No. CZ, dated 17.11.45 from Lt. Col. John Figgess with 5 photographs.
- (f) Extract from C.S.D.I.C. (India) report No. 2 Section report No. 1156, dated 31.12.45.
- (g) Letter No. 210/BI269, dated 7.1.46 from C.S.D.I.C.

2. In Mr. Maitra's letter No. P.S/56/G, dated 20.4.56, he had asked us whether we had any records of interrogations or other intelligence reports regarding :

- (a) General Iwoda
- (b) Mr. Hachiyu
- (c) Lt. Col. Toda
- (d) Col. Iano

It is regretted that we have been unable to trace any reports regarding these persons which would be of use to the Committee. A copy of Adv. E.C., SEATIC, IIAW SACSEA, Singapore, letter of 7.2.46 is, however, attached. The earlier reference mentioned in that letter appears to have been destroyed.

3. It is requested that these papers kindly be treated as secret and returned to longer required.

Yours si

Shri Shah Nawaz Khan,
Chairman,
Netaji Enquiry Committee,
37, Parliament House, New Delhi.

Encl: 1
TR/H.C.

Refco. 3.2.

TOP SECRET.
DIB / IAU
7 Divn. Bangkok.

Dated 5/10/45.

SUBJECT: CHANDRA BOSE.

1. Bose's departure from Bangkok on Aug. 17th has been described by two informants who are believed to be reliable. One of these was present on the airfield at the time of the departure. Bose arrived from Singapore on the 16th of Aug. and immediately sent for the leaders of I.N.A., the Cabinet Ministers and leaders of the Local I.I.L. He gave them a farewell talk and told them that on the following day he was going East, though he did not say specifically why. He disposed of certain routine matters concerning the winding up of the affairs of the provisional Government of Azad Hind. According to the principal informant who was a confidant of Bose, the latter did not confide in any one what his intentions were. It is more than likely that the informant is deliberately concealing this information. He does however say that he thought Bose was on his way to Tokio to discuss final arrangements for an attempt on his part to get permission to go to Manchuria where he could contact the Russians. This informant says that Bose had been trying to persuade the Japs to allow him to go to Moscow since October '44, which he told them that they had no chance of invading India through Burma, and that accordingly he would prefer to try another road to Delhi via Moscow. These protracted negotiations fell through as the Japanese refused to allow Bose to go out of their control, and as they felt that relations with Russia were not such as would permit of this.
2. The general opinion among Indians here is that Bose is not dead but has probably managed to evade Japanese control and has made his way to some place occupied by the Russians. The main informant, however, believes him to be dead. He feels that if he is not dead, he has "let down" the cause of Indian Independence and the I.N.A.
3. Lieutenant General Isoda of the Hikari Kikan, in a brief interview, gave us a story which agrees with that told by this informant. Isoda is now in Singapore, and no doubt has already been interrogated fully regarding this matter.
4. Informant's story is that the following persons left in Bose's own plane from Bangkok aerodrome early on the morning of the 17th of August: Iyer, Habibur Rahman, Gulzara Singh, Pritam Singh, Major Hossen and Mr. Deb Nath Das. The arrival there of all these persons has been reported by Saigon. Bose took with him 4 iron boxes of gold. The weight of each is not known, but was probably in the region of 50 lbs. Bose and his staff took a formal farewell of everybody, and indicated that they were not likely to come back to this part of the world.
5. The rest of the story comes from General Isoda, and information gleaned from certain I.I.L. personnel who returned to Bangkok from Saigon after Bose's arrival there. Apparently Bose's plane was not allowed to go beyond Saigon for reasons which are not quite clear. There may have been some Jap Air Force rule about planes passing out of one administrative area to another. There appeared to be a plane leaving for Formosa, in which only 2 seats were

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available, Bose accordingly took Col. Habibur Rahman with him during the flight.

6. Reference should now be made to Hikari's telegrams attached on the S.A.F.I.C. interrogator's Note. At the time Bose arrived in Saigon, General Isoda was also there, and this fact may be significant if there was any plan on the part of the Hikari Hikari to allow Bose to escape, and to build a false story regarding his death. This would have been the ideal place for Isoda to put into operation any such plan. Against this, however, is the fact related by the informant referred to above, that Bose's return from Singapore was a surprise to everybody including the Hikari. He had gone to Singapore on the 10th or 14th of August, and even sent telegrams to General Chatterjee in Saigon, and to Swami (his secret service Chief) in Penang to meet him there on the 10th. It was thought that Bose intended to give himself up with the I.N.A. in Singapore though there is nothing to substantiate this presumption. According to the informant, Bose did not meet General Chatterjee or Swami as, had he met either, he would certainly have brought them back to Bangkok with him. Major Swami has been arrested in Penang and may be able to throw further light on this end of the story.
7. With regard to the times and dates of Bose's departure and of the accident at TAIHONG, Isoda says that the accident occurred as the plane was taking off from the air-field. As Bose left Saigon at 1700 hours on the 17th of August, the plane would have spent the night somewhere en route. The time of take-off from TAIHONG on the next day, i.e. 1400 hrs., is reasonable, and there is therefore nothing suspicious on this point.
8. The first Hikari message was sent by Isoda from Saigon to the O.C. Hikari Hikari in Bangkok, and although marked "secret" he was asked to keep the Indian community of this fact. The next telegram, No. 2, dated the 20th of August, however was marked "top secret". The reason for this is not clear, but it may have been because Isoda himself, who sent it, had some doubts about the truth of the report. He therefore deputed an officer of the General Staff, TADA, who was not a Hikari officer, but who happened to be going to Tokyo to take up an appointment under the Imperial General Staff, to provide the Tokyo General Staff with the detailed report. This officer, if he can be located, would probably be able to provide the answer to the riddle. If in fact Isoda was in doubt about the truth of Bose's death, his wish for secrecy about the matter is understandable. In view of Formosa A.M.'s having given him the information.
9. This second telegram of the 20 Aug. also clears up the discrepancy between the reports published on the 20th August by the Domic Agency on the one hand and that published by Tokyo Radio on the other. It will be recalled that one report said that Bose died in a hospital in Japan, and the other indicated that he died in Formosa. The suspicion which arose as a result of this discrepancy is now dissipated.
10. The general impression given by these telegrams, including that of the 27th Aug. which asks for a report on the progress of Habibur Rahman, together with the manner in which they were found, is that they convey the truth. Saigon have already been asked to search for the Hikari originals as well as the incoming telegrams from Formosa and others connected with this. If they are part of a colossal and well executed deception manoeuvre, this side of

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telegrams, along with numerous other documents, must have been purposely left where the British would find them. But in that case one would have expected some report from the Staff Officer to be on the file, whereas the series is incomplete. Although at this stage one cannot rule out the possibility of Bose being still alive, and of these telegrams being part of a deception plan regarding himself, (particularly in view of his previous intentions of escaping to Russia), the general impression gained from the study of these documents and the talk with Isoda and my informant is that Bose did actually die as stated.

Sd. F.E.S. Firney.
Assistant Director,
Intelligence Bureau, Govt. of India.
Attached I.A.F. 7 Division
Bangkok.

Com. 6(P)

Report by Counter Intelligence Corps, GHQ AFPAF, on
Death of Subhas Chandra Bose, dated 29 Sep. 45.

The following information concerning the circumstances of the death of Subhas Chandra Bose, head of the Indian National Army, was obtained on 24 Sep 1945 through interview of Habib ur Rahman Khan, former Deputy Chief of Staff and Aide de Camp to Bose, at the Tokyo residence at Rama Murti, head of the Indian Independence League.

Rahman held the rank of Colonel and was Deputy Chief of Staff under the Chief of Staff, Major General J.M. Bhonsale. He was also the Aide de Camp to Bose, with headquarters in Singapore. Rahman revealed that on 16 Aug 1945 he accompanied Bose on a proposed trip to Tokyo, Japan, to negotiate with the Japanese Government as to the disposition of the Indian National Army, but the plane in which they were riding crashed and Bose was killed. The following is the itinerary described by Rahman:

16 Aug 45

1030 Departed Singapore
 1530 Arrived Bangkok - remained overnight

17 Aug 45

0800 Departed Bangkok
 1100 Arrived Saigon - changed planes.
 1700 Departed Saigon
 1945 Arrived Tourane, French Indo China - remained overnight.

18 August 45

0700 Departed Tourane
 1400 Arrived Taihoku - ate lunch
 1435 Departed Taihoku - plane crashed.

According to Rahman the plane had not gained much altitude after the take-off from Taihoku, when he heard a terrific explosion and felt the plane vibrating violently. He later learned that the plane had lost the propeller from its port engine and was out of control. The pilot made an effort to land but was unable to regain control and the plane crashed at the end of the airfield. Rahman stated that he was not rendered unconscious and noticed immediately after the crash that the interior of the plane broke into flames at the nose and tail. Due to the terrific crash the canopy overhead was broken and it was through this opening that those not too seriously injured or instantly killed escaped from the burning plane. He revealed that he had no knowledge of how Bose escaped or was removed from the plane. He stated that upon alighting from the plane he noticed his own coat afire. He removed it immediately and then saw Bose lying by the plane with his clothing afire, whereupon Rahman went to the aid of Bose and removed his burning clothing. He added that the seat Bose occupied in the aircraft was beside a petrol tank and at the time of the crash the tank exploded, spreading the burning fuel on Bose's clothing.

It was at this time that vehicles from the airfield came to the crash and removed all persons to the Japanese Military Hospital (Rikugun Byochin) in Taihoku, where they received medical treatment. It was later determined that Bose received serious injuries about the head and neck in addition to his severe burns. Rahman received two lacerations on his hand, one on his right leg and burns on his hands, arms and face. According to Rahman, Bose recovered sufficiently to carry on a conversation and complained of the pain in his head and asked him to request that the medical

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authorities check his blood pressure. Rahman declared that at approximately 2100, 18 Aug 43, Bose died of the injuries received in the plane crash. Those present at the time of his death, in addition to the medical authorities, were Rahman and (FNU) Nakamura, of the Japanese Foreign Office in Taihoku. Other passengers in the plane, as named by Rahman, were Lt. Genl. Shidei, Lt. Col. Sakai, five or six other Japanese officers and the crew.

On 20 Aug 1945 Bose was removed from the hospital and his remains were placed in a box provided by the Japanese. Rahman requested the remains be flown to Singapore or to Tokyo. Major (FNU) Nagatome, a Japanese Staff Officer with Headquarters in Taihoku, informed Rahman on 21 Aug 1945 that it would be impossible to transport the remains by air due to the size of the box in which Bose was placed. Major Nagatome suggested to Rahman at that time that the body be cremated, and Rahman, after careful consideration, agreed. On 22 August 1945 the body was admitted to the hospital crematory and on 23 Aug 1945 the ashes were removed by Nakamura and Major Nagatome.

Rahman advised that on 31 Aug 1945 he was removed to the Japanese Army Hospital at Hukto, Formosa. On 4 Sep 1945 he accompanied the ashes of Bose to Gifu, Honshu, Japan, from where he travelled by rail to Tokyo, arriving on 6 Sep 1945. Rahman was met by 2/Lt (FNU) Hasegawa, a Japanese representative of the General Staff, who took him to Mr. Rama Murti's residence. Due to the crowded conditions, Rahman moved to the residence of Mrs. A.M. Sahay, Kamionikubo, 1 chome 103, Tokyo, where he remained for five or six days. Arrangements were made for him to remain with Mr. Rama Murti until such time as his residence could be prepared for occupancy.

The ashes of Bose were delivered to Rama Murti, who retained them until 13 Sep 1945, at which time prayers were held and the ashes placed in the Renkogi Temple. The services were attended by numerous Indian Nationals in Tokyo.

According to Rahman, photos were taken at the scene of the crash and also at the hospital after the death of Bose. The photos are at present in possession of the "Japanese War Office" in Tokyo.

Rahman further added that he was questioned by Lt. Hasegawa relative to the death of Mr. Bose some time between 7 and 10 Sep. 1945.

At the time of departure from Singapore, Bose carried with him four pieces of luggage and one brief case which contained personal effects and official correspondence. At Saigon he was forced to leave one of the pieces because of the overload on the aircraft. Whereupon he rearranged his luggage and disposed of portions of his personal clothing. Mr. Bose's personal effects and the official correspondence were destroyed at the time of the accident.

GENERAL HEADQUARTERS
UNITED STATES ARMY FORCES PACIFIC.

APO 500
17 Nov. 45.

OL/49.

To

Director of Military Intelligence,
GHI, India.

From:-

British Staff Section.

DEATH OF S. C. ROSE.

Further to our OL/49 of 8 Oct. 45.

Forwarded herewith are print each of
five different photographs alleged by the Japanese
Government to have been taken after the air crash which
resulted in the death of Subhas Chandra Bose.

Sd/- Lieut Colonel
British Staff Branch.

Copy to Director of Intelligence, SACSA
(without enclosure).

ANNEXURE - IV

COM NOS. 6(D),

AND 28(E) TO 28(K)

Extract from the G.O. 4D I.C. in the Annexure
The Report no. 1156, dated the 31.12.195,
Capt. Habib-ur-Rahman Khan.

18. THE SURRENDER OF THE JAPANESE.

14 August 45. A messenger from HACHIYA (minister to the PG of Azad Hind) handed Bose a note that the Japanese Govt had decided to surrender and asked Bose whether he had anything to communicate to them on behalf of the PG of Azad Hind. In the afternoon Bose called a meeting at which the following were present:-

- (1) B 1269
- (2) S.A. Iyer.
- (3) Alagappan.
- (4) Nagar
- (5) K.S. Liani.
- (6) A.K. Sirkar.

Bose read the message of HACHIYA and then invited suggestions as to their further line of action. At the meeting it was decided that the I.N.A. would also surrender and that every one was to stay where he was, including Bose who decided to surrender at Singapore. Orders were then issued by Bose to distribute 3 months pay to all ranks, and to ensure that each I.N.A. Camp was provided with 2/3 months rations.

P.T.O.....

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19. DEPARTURE TO BANGKOK

15 Aug. 45 At about midnight, B 1269 was summoned by Bose, and on his arrival at Bose's Bungalow he found S.A. Iyer and Capt. S.K. Gupta 5/11 Sikh already there. B 1269 was ordered to make over charge of the I.K.A. HQ to M.Z. Kiani and to get ready for a journey to Bangkok on the following morning. The plan then was for Bose and B 1269 to return to Singapore within 2/3 days, and therefore only bare necessities were carried on this journey. B 1269 received further orders from Bose to destroy all Army records. These orders were conveyed to M.Z. Kiani for execution. B 1269 learnt from S.A. Iyer that the object of Bose's visit to Bangkok was to contact HACHIYA and Lt. Col. ISODA in connection with the surrender plans. B 1269 disclaims all knowledge of any secret orders issued by Bose to any I.K.A. or I.I.L. personnel.

16 Aug. 45 B 1269 arrived at Bose's bungalow at 0900 hrs where he saw the following:-

- (1) S.A. Iyer
- (2) M.Z. Kiani.
- (3) Alagappan.
- (4) "Capt." Shamsher Singh
- (5) Lt. Col. Malhotra.
- (6) A young Japanese officer of Hikari Kikan
- (7) Capt Pritam Singh Kapurthala Inf.

B 1269 believes that Dr. Lakshmaya (Chairman of I.I.L. Singapore) and A.H. Sirkar were also present there but he is not definite about this. B 1269 together with Bose and the a/c serials 1 to 7 went to the Civil Aerodrome where Bose, B 1269, S.A. Iyer and Capt Pritam Singh boarded a Japanese twin engine bomber especially chartered for Bose and party. B 1269 carried a travelling bag and a suit case containing a consolidated statement of I.K.A. strength in Malaya. He states that he does not remember details of luggage carried by Bose and the others. The plane which left Singapore at 0930 hrs halted for an hour at Taining, and reached Bangkok at about 1500 hrs that evening. They were not met by anybody at Bangkok aerodrome, due to telephone lines being interrupted as a result of air raids. At Bangkok aerodrome Bose waited for an hour, after which B 1269, Bose and Iyer left by car. On the way they met Bhonsale who took them in his car to a bungalow where Lt. Col ISODA and HACHIYA were living. There they met Lt. Gen. ISODA, HACHIYA and Col. KAGAWA. They held a conference at which HACHIYA spoke in English. They discussed the I.K.A. and Japanese surrender. HACHIYA and ISODA informed Bose that no orders had been received from the Japanese Govt. regarding the I.K.A. surrender, and therefore they were not in a position to advise on the proposal of a separate surrender by the I.K.A. They suggested that Bose go to

the Japanese HQ at Saigon to visit Fd Marshal TERAUCHI stating that they would be glad to accompany him there.

After this discussion Bose went to a bungalow in the suburbs of Bangkok (the same bungalow where Bose usually stayed while in Bangkok). The following visited him there:-

- (1) Maj Bhonsle (B 1189)
- (2) Ishar Singh
- (3) Capt (Col) Gulzara Singh.
- (4) Civ (Col) Hassan.
- (5) D.M. Khan.
- (6) Capt (Col) S.A. Malik.
- (7) Deb Nath Das.
- (8) Parmanand.
- (9) Jem (Lt) Risvi.

The a/m held an informal talk, and B 1269 disclosed to some of them that Bose was likely to return to Singapore within a couple of days.

20. THE LAST MOVEMENTS OF S.C. BOSE.

17 Aug 45. Two bombers carrying Bose and party took off for Saigon at about 0830 hrs. The following travelled in the same plane as Bose:-

- (1) S.A. Iyer
- (2) Deb Nath Das
- (3) Capt. Gulzara Singh
- (4) Civ KAGESHI

The other plane was occupied by:-

- (5) B 1269
- (6) Lt. Gen. ISODA
- (7) HACHIYA
- (8) Civ (Col) Hassan - Arrested in Bangkok.
- (9) Capt Pritam Singh.

About a dozen I.M.A. officers and men and also 2 or 3 local civilians assembled at the airfield to see them off. D.M. Khan was among them, but B 1269 has no information about Khan's subsequent movements.

21 AT SAIGON.

17 Aug. 45. Both bombers reached Saigon about 1130 hrs the same day. A number of Japanese officers met them but there were no Indians present. At the airfield HACHIYA and Lt. Gen. ISODA conversed with a Col on Fd Marshal TERAUCHI's staff, after which Bose was informed that it would be necessary for him to visit TERAUCHI's HQ located about half an hour's flying distance from Saigon airport. Bose agreed to go, but half an hour later the Japanese informed Bose that as a result of the surrender, general confusion existed and that no useful purpose would be served by Bose going to TERAUCHI's HQ.

17 Aug 45

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Bose and party then motored to a vacant house originally occupied by Lt Col Chatterjee. At about 1500 hrs HACHIYA and ISODA together with the Staff Colonel informed Bose in the presence of IYER and B1269, that Marshal TERAUCHI had received no orders from Tokyo in connection with the surrender of the I.N.A., and therefore he was not in a position to give any advice on the matter. Bose then asked the Japanese whether transport was available to take him and his staff to Tokyo in order to settle the matter thereof a separate surrender. After this Bose conferred with the following of his staff :-

- (1) B1269
- (2) Capt Gulzara Singh
- (3) S.A. Iyer
- (4) Capt Pritam Singh
- (5) Civ (Col) Hassan
- (6) Deb Nath Das

All agreed that flying to Tokyo was quite possible as the region between Saigon and Tokyo was still under Japanese control. It was further decided that the following

- (7) S.A. Iyer
- (8) B1269
- (9) Capt Gulzara Singh
- (10) Civ (Col) Hassan

should accompany Bose to Tokyo if transport for them was available. The Japanese Staff

Officer arrived soon afterwards, and informed them that a plane bound for Tokyo was about to take off from Saigon airfield, but that only two persons could be accommodated in it. Bose insisted that he should get 5 seats, and the Staff Officer gave an assurance that the remaining three seats would be made available the following day. Bose then held another discussion with his would-be companions, and it was decided that he himself should go to Tokyo while the rest would follow the next day. Bose then looked at all those present and selected B1269 to accompany him. Bose's luggage was packed by Civ (Col) Hassan and it consisted of:

- (a) a suit case 22" by 15" by 9" approx
- (b) 2 small attache cases 15" by 8" by 6" approx

B1269 states that he has no knowledge as to the contents of these cases, as he never handled them.

Notes:- B1269 has been questioned about the large quantity of gold Bose is alleged to have carried away with him from Burma, but B1269 disclaims all knowledge of it. Civ Dina Nath (Chairman of Azad Hind Bank) has stated that of the Rs. 15 crores PG of India's total assets held in the Azad Hind Bank, 7 1/2 crores were in property, 7 1/2 crores in Japanese paper currency, and 145 pounds weight of gold. The gold was taken by Bose to Bangkok on 24 Apr. 45 when the I.N.A. HQ evacuated Burma.

17 Aug 45

By 1630 hrs that evening, Bose and B1269 entered the plane which was a twin engine bomber of the type used on their flight from Singapore to Saigon. B1269 does not know the Japanese bomber formation to which this aircraft belonged, nor has he any idea about its registration number. Besides Bose and B1269 there were other passengers whose respective positions in the bomber are given below:-

- (3) The wireless operator was seated in the nose.
- (4) In the pilot's seat was a Japanese sub offr.
- (5) A Japanese air-man sat on the right of the pilot.
- (6) A Japanese Air Force Officer sat behind the pilot.
- (7) A Japanese Gen named SHEDAI sat on the right of No.6
- (8) Bose sat behind Gen SHEDAI
- (9) B1269 sat behind Bose
- (10) A Japanese Colonel of the Air Force sat in the turret.
- (11) Lt Col SAKAMAI sat in the turret with No.1
- (12) A Japanese Major sat in the tail with another Japanese Offr. and
- (13)

Serials 3-7 were already seated in the bomber when Bose entered the plane. As soon as Bose entered, Gen SHEDAI exchanged greetings with Bose. There was no formal introduction. Before leaving, Bose gave instructions to those left behind that they should follow him by plane as soon as possible. As far as B1269 knows, it was Bose's intention to return to Singapore after he had visited Tokyo and made arrangements there regarding a separate surrender for the I.N.A.

22. AT TOURANE (VIC)

17 Aug 45

The bomber reached Tourane (VIC) airfield at about 1830 hrs. The Japanese placed a staff car at the disposal of Bose, in which Bose, B1269 and the Japanese Maj drove off to the hotel in the town. B1269 stayed with Bose in this hotel for the night, but they lived in separate rooms.

18 Aug 45

B1269 and Bose arrived at Tourane at 0830 hrs, and entered the same bomber that they had travelled in the previous day. All passengers occupied seats in the same order as on the previous day's flight. There was no change in the number of passengers, and the luggage carried was also the same. Bose wore a khaki bush shirt and khaki trousers. His head dress was a khaki Fd Cap of Fd Service pattern.

18 Aug 45

On his right chest he wore a ~~League of Nations~~ badge and also the I.N.A. tricolour badge, as far as B1269 is aware, Bose was not wearing a wristlet watch, although B1269 cannot say whether he carried one in his pocket. B1269 knows nothing about the watch which Bose is alleged to have given Honale (B1189).

Notes- Major Honale possesses a gold watch and chain which he stated was given to him by Bose at Bangkok on 17 Aug 45.

B1269 insists that, as far as he was aware, it was Bose's intention to return from Tokyo as soon as he had completed his business there.

22. THE CRASH

18 Aug 45

At about 1400 hrs the bomber reached Taihoku (Pomosa) airfield where it refuelled and the passengers had lunch. No Indian was there to meet them and neither did Bose interview anyone there. While having lunch Bose mentioned casually to B1269 in Hindustani, that he hoped the Japanese would make arrangements for the rest of the party to come in time, and not disappoint them, as they had done previously at the time of his return from Tokyo. After a stay of about half an hour at the airfield, the bomber took off again. Before B1269 and Bose entered the plane, the engine had been started and the crew were all in their places. About 5 minutes after taking off, and when the plane had reached an altitude of about 300 ft. B1269 heard a very loud noise which resembled cannon fire coming from the direction of the nose of the plane. B1269 thought at the time that the plane had been attacked. The aircraft appeared to lose flying speed and crashed almost immediately afterwards, hitting the ground on its nose. The engines as well as the rear of the plane were on fire. B1269 saw Bose attempting to move towards the rear of the plane, but on B1269's suggestion, Bose changed his course and moved towards the front. The celluloid cover above the pilot's position had burst open.

Some of the Japanese passengers reached the aperture before B1269 and Bose, and crawling through it, dropped to the ground. The aperture was open to the left side of the plane. Bose then crawled through and was followed by B1269. In doing so the flames were coming from the front and B1269's face was burned on the right side (B1269 carries obvious marks of recent burning and scorching on the whole right side of his face). Alighting on the ground and collecting his wits, B1269 noticed Bose in a standing position about 12 yards away with smoke coming from garments. Bose was endeavouring to remove his clothes. B1269's clothes were not on fire. B1269 rushed towards Bose to help him and finally succeeded in beating out the flames. In doing so, B1269 received severe burns on both his hands (his hands are still cleaved and scarred.)

Bose had sustained serious burns all over his body and when he was laid on the ground B1269 noticed 2 or 3 fractures on the skull. Bose lay for a while on the ground quiet with eyes closed.

~~transmitted as the Japanese had said they were unable~~

16 Aug 45

His last words were in Hindustani "I feel that I shall die. I have fought for Indian Independence until the last. Tell my countrymen, India will be free before long. Long live Independent India". B1269 had seen only one Japanese (probably a Capt.) sitting on a boulder near the plane with bleeding injuries on his head. Besides burns on the right side, and he also received two minor wounds on the head and one lacerated wound on the right leg below the knee.

Bose, B-1269's face was slightly burnt on the

Note 1: B1269 bears marks of burns on the face and on both hands, two slight scars on the head and one mark of an injury on the right leg below the knee.

Note 2: When asked to explain why S.C. Bose was badly burned and he himself was not, B1269 stated that Bose's clothes may have been drenched in petrol, as Bose sat under a petrol tank in the plane. Bose's clothes were of light weight K.D. B 1269 wore knee-boots, serge breeches and a serge tunic, his clothes were not burned at all (he wears them now at CSDIC(1))

Within 10 minutes, a First Aid party arrived in lorries, and Bose and B1269 were removed in one of the lorries to the Army Hospital a short distance from the scene of accident. Among others injured who came to the hospital (some before B1269 and others after) were a pilot, a Lt. Col, a Major and Lt. or Capt. B1269 later heard that Gen SHIMAI, the wireless operator, one of the members of the air crew and the Japanese Air Force officer had died. The Japanese Gen had been killed instantaneously. B 1269 remained with Bose from the time of the crash until the death of Bose at about 2100 hrs that night Tokyo Time. Bose was treated for his burns and several injections were administered by 3 or 4 Japanese doctors who attended him. B1269 does not know the names of the hospital staff. Whilst in hospital Bose regained consciousness from time to time and uttered a few words, sometimes asking for water and sometimes suggesting that he be given injections. Some Japanese military officers came to the hospital and made enquiries from time to time about Bose's condition. When the doctors announced Bose's death to these officers, B1269 requested them to send news to Bangkok and Singapore about the accident. Bose's body was kept in the room where he died, and B1269 remained there all the night together with Japanese guards and some patients. B-1269 states that he did not keep any souvenirs, as none was available on the person of Bose after the accident - all their luggage having been burnt on the plane.

19th August, 1945: - Bose's body remained in hospital all that day and night. The Japanese Staff Colonel visited B-1269 who requested him to make arrangements for the dead body to be taken to Singapore. B-1269 was told that arrangements were being made as requested for the corpse to be taken in a transport plane.

20th August, 1945: A coffin made of sandal wood was brought to the hospital and Bose's body was placed therein.

21st August, 1945: - B-1269 was informed that as the coffin was too large, it was not possible to transport it by plane, and the idea had therefore to be dropped. B-1269 then suggested that the body be cremated as the Japanese had said they were unable

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to preserve it. After the Japanese had signified their consent to this proposal, two photographs of Bose were taken, one with the body fully covered inside the coffin, and the other with the lid of the coffin closed and B-1269 seated by its side. Fruit and incense were placed on the coffin in accordance with Japanese custom.

22nd August, 1945: - At about 1000 hours Bose's body was removed to a crematorium where a Japanese cleric who spoke excellent English, performed a religious ceremony. After this, Bose's body was taken out of the coffin and placed in a furnace. The door of the furnace was locked and the key was kept by a Japanese military officer. B-1269 had declined to take charge of the key as he was at the time running a temperature and was in a very depressed state of mind. The body was then set alight by the cleric's assistant. At the cremation there were about 30 Japanese medical and military officers present. B-1269 does not recollect any of their names. B-1269 states that he was the only Indian present at the time. About half an hour after the body had been set alight, B-1269 left the crematorium with the others.

On the day, there was part of one of Bose's gold teeth. The box containing the ashes was then taken to a Japanese temple/one of the military officers pointed to another box and told B-1269 that it contained the ashes of the Japanese Gen, whom he said had also died as the result of the air crash.

23rd August, 1945: - B-1269 in the company of the cleric and a Staff Major and 3 or 4 other Japanese visited the crematorium when the ashes of Bose were collected and placed in a wooden box specially made for the purpose. B-1269 was shown a small piece of gold among the ashes which he believes was part of one of Bose's gold teeth. The box containing the ashes was then taken to a Japanese temple/one of the military officers pointed to another box and told B-1269 that it contained the ashes of the Japanese Gen, whom he said had also died as the result of the air crash.

23rd August, 1945: - B-1269 was removed to Rokoto hospital a distance of about 12 miles from Taihoku. While there, B-1269 requested the Japanese authorities to send him back to either Ban-koek or Singapore.

3 Sep., 1945: - B-1269 was told that a plane would be leaving for Tokyo on the following day, and that he could avail himself of this chance and take with him the ashes of Bose to Tokyo.

4 Sep 45.

B1269 returned to Taihoku and boarded the plane which carried 4 other Japanese passengers including Lt Col SAKAMAKI and 3 civilians whose names were not known to B1269. B1269 was told that the crash on 18 AUGUST 45 was due to one of the airscrews being damaged when the plane was taking off. B1269 carried with him the wooden box containing the ashes of Bose, the two photographs of Bose taken on the 21st Aug 45, three photographs of the wrecked planes and a rectangular wrist gold watch with a leather strap.

Note 1:- B1269 explains that this watch was made over to him on 28 Aug 45 by one of the Japanese Mos who had attended Bose at the Taihoku hospital. It may be remarked here, that this watch has since found its way to S.C. Bose's brother Sarat Chandra Bose in Calcutta, and that B 1269 admits that two days after his arrival at Delhi he secretly gave this watch to Capt Shah Nawaz (B1043).

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Note 2: B1269 states that no photograph of Bose's dead face was taken as the face was badly burned and made grotesque by the ointments etc which had been applied to his skin by the Japanese doctors.

24 . AT TOKYO.

4 Sep 45.

On arrival at Fukuoka aerodrome B1269 was taken to a Japanese hotel where he spent the night.

6 Sep 45

Left Fukuoka by plane about noon and reached an aerodrome (name not known) at 1500 hrs. At Fukuoka Lt Col. SAKAMAKI separated from B1269, as he stated he intended to travel by train from there to Tokyo. Before parting, SAKAMAKI took charge of the box containing the ashes of Bose as both hands of B 1269 were bandaged as a result of burns.

6 Sep 45.

From the aerodrome on the mainland (name not known) B1269 reached Tokyo by train, where he was met at the railway station by a young Japanese Officer. From the railway station B 1269 was taken to the house of one of his fellow Japanese passengers, and later that evening moved to the house of Ramurti, the Chairman of the I.I.L. Tokyo. B 1269 explained to Ramurti in the presence of Mrs. Ramurti (a Japanese) and 2 or 3 Indian students who were training in the Tokyo Military Academy, the circumstances of Bose's death. Shortly before B 1269 arrived in Ramurti's house, the box containing the ashes of Bose had reached there. That night B 1269 shifted to the house of Mrs. Sahai where he again met S.A. Iyer, who explained that he (Iyer) had left Saigon on the 10 or 20 Aug alone, as plane accommodation could not be arranged for the rest of Bose's party.

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Note:- B1269 is unable to give any information regarding the subsequent movements of the following 4 men who were left behind in Saigon:-

- (1) Capt (Col) Gulzara Singh.
- (2) Capt (Maj) Pritam Singh.
- (3) Dab Nath Das.
- (4) Civ (Col) Hassan).

While in the house of Mrs Sahi several Indian students of the Military Academy (whose names B1269 does not recollect) and also Ramnurti visited B1269. The same Japanese Military officer who met B 1269 at Tokyo Railway Station, questioned B1269 in detail regarding the accident at Taihoku. This same officer also took charge of the two photographs of Bose in a coffin, which B1269 had up to then been carrying with him. B1269 had up to then been carrying with him. B1269 states that these photographs had been shown by him to Ramnurti, Mrs Sahai and S.A. Iyer.

(In)

9 Sep 45. B1269 shifted to another house where he was joined two days later by S.A. Iyer. B1269 while living in this house with Iyer was once interrogated by an American officer and by Lt Col. Figgess. (An Indian Army officer on the British Section attached to Gen MacArthur's H.Q) . B1269 states that both he and S.A. Iyer visited Atami, Nikko, Hakone and Ito all small towns on the main island for health and recreation purposes. There were no Indians living at these places and B1269 disclaims that he or Iyer went to these places on any kind of mission.

ANNEXURE-V

COM. 23(A)

Confidential
310/BL269
C.S.D.I.C.
Red Fort, Delhi
7 January 1946.

Comb. Sec.

Sub:- Capt. Habib ur Rehman (BL269)
C.S.D.I.C. 2 Sec. Report 1156.

1. It is not known at C.S.D.I.C. whether Comb. Sec. or D.I.B. have any grounds of their own for any support of a current belief (recently given public utterance by Mr. Gandhi) that S.C. Bose is still alive.

2. The facts of the crash at Taihoku as given in C.S.D.I.C. Report No. 1156 are considered to establish beyond any doubt that S.C. Bose did in fact succumb to injuries and burns received in the crash. (r)

3. Factors in proof of the above are:-

(a) BL269 himself kept a personal vigil besides S.C. Bose's corpse for 2 days before the coffin lid was nailed down in preparation for the removal of the coffin to Singapore.

(b) BL269 himself saw Bose's corpse taken from the coffin and placed inside the furnace of the crematorium.

4. BL269 is sincerely emphatic about his utter conviction that S.C. Bose is dead beyond any doubt. He is painfully aware of the doubts which the strange coincidence of the reported death and the end of the war must have given to many minds. BL269 has expressed some baffled exasperation at current rumours and at Gandhi's statement to the effect that Bose is alive and in hiding. He seeks but an opportunity to convince all minds of the baseless nature of these rumours, which he classifies as wishful hopes and the refusal to contemplate the thought of S.C. Bose dead. The Public has seen Bose make one miraculous re-appearance before (after his escape from India and re-appearance in Germany), and tends to believe that history will repeat itself. 3.

5. The opinion at C.S.D.I.C. is that BL269 is sincere in his protestations that Bose is dead. The alternative theory would be that BL269 has himself been made the dupe by the Japanese of an exceedingly well planned and cleverly laid conspiracy. It is however considered that the factors mentioned in Para 3 above practically rule out the possibility of this.

6. For final and positive proof, a British Investigation Team would need to be sent up to Formosa from Saigon and Hanoi to examine the hospital records at Taihoku. As British Forces are now leaving F.I.C. it would appear that the despatch of such a Team if considered necessary must be regarded as urgent.

Sd/- *G. D. [Signature]*
Lt. Col.
Offg. Comdt. C.S.D.I.C.

Copy To:- I.B. Govt. of India.

G.S.I.(e)

G.S.I.(b)

S.Sec. Ref:- your Interrogation of Capts. Gulzare Singh and Pritam Singh, Deb Nath and Abid Hassan.

ANNEXURE - VI

com - 23 (P)

SECRET.

ANV HQ SEATIC
MAIN SACSEA
SINGAPORE

To : The Superintendent, C.I.C.P., HQ SACSEA 7 Mar 46

SUBJECT: Interrogation of Col. YANO MURAJI, OC,
2 Staff Section Southern Area Army.

Ref: 1405/25.

1. Further to conversation Lt. Col. HARRISON/
Maj. WATKINS of 6 Mar 46, Col. YANO has been interrogated
regarding para 12 of his written statement on the
activities in which he was personally involved in
No. 2 Staff Sec, Southern Area Army (Our Interrogation
Report Ref: 1403/18 of 25 Feb 46 refers).

(In)

2. In his written statement Col. YANO said
that a signal was received in early Jun 45 from GHQ,
TOKYO that SUBHAS CHANDRA BOSE had better remain
inside the Southern Area with the Japanese forces and
NOT proceed to SHANGHAI, JAPAN or SOVIET RUSSIA to
carry on the fight for Indian independence. Col. YANO
wrote that he believed that this GHQ signal "did NOT
represent the opinion of the Japanese Government.

5. Asked to elucidate this statement Col.
YANO gave the following explanation :-

SUBHAS CHANDRA BOSE in interviews with OC
HIKARI Kiden suggested that he should go to RUSSIA,
SHANGHAI or JAPAN. This request was signalled to
General Staff HQ TOKYO.

As the answer came back within 3 or 4 days,
Col. YANO did NOT think it at all possible that the
matter could have been brought up before the Supreme
War Council or the Cabinet in such a short time,
having had personal experience in TOKYO of the length
of time it takes to settle such business. He thinks,
however, that had it gone before the Supreme War
Council the answer would have been much the same on
account of the predominating Army influence. Col. YANO
felt, however, that General opinion outside Army
circles would have been in favour of withdrawing
SUBHAS CHANDRA BOSE from the Southern Regions.

See.

- (a) because of admiration for his integrity
as an idealist.
- (b) because they pitied his plight if he was
left to fight to the end in the Southern
Regions.
- (c) because they realised that he would be
more harshly treated than anyone else if
he fell into allied hands.

Interrogated by:- Lt A.J. Newington.

Sd/- ~~XXXXXXXXXX~~
Major
Officer Commanding.
(E.A. Heaslett).

Copy to :
5 Section CSMIC (I)
Main SEATIC, DELHI.

contd...

57/12/1960.
S Section CSNIC(I).
9 March 65.

Comdt CSNIC
Red Fort, Delhi.

The above is forwarded for information.

84/-
Major,
Comd S Section CSNIC(I).

56

com. 24(A)

CONFIDENTIAL

SEATIC Section
Intelligence Assault Unit,
7th Ind Div ALF SIAM

24th Sep. 1945.

SUBJECT: Translation of messages re death of Bose found in
a file of reports belonging to the HIKARI KIKAN.

1. HIKARI KIKAN SIGNAL RE. 'T' (TN: Bose)
18 Aug.

TO: OC HIKARI KIKAN.
FROM: Chief of Staff, Southern Army.
Southern Army Signal 393.

Today at 1700 hours (17 Aug.), 'T', with Lt Gen Shidei
and others, left here for TOKIO via FORMOSA and DAIRIN.
Inform Indian community of this.

Depending on circumstances, I expect to return in two or
three days. (from OC KIKAN)

2. TO: OC KIKAN
FROM: Chief of Staff Southern Army.
Southern Army Staff II Signal 66 20th Aug. "TOP SECRET"

'T', while on his way to the capital, as a result of an
accident to his aircraft at TAIHOKU at 1400 hours on the
18th was seriously injured and died at midnight on the
same date. His body has been flown to TOKIO by the Formosan
Army.

I have thanked the Formosan Army for their kindness. Further
I have asked that proof of his death in the plane accident
remains, photographs etc. - be collected.

As for the Centre, I am getting Staff Officer TADA, who
leaves SAIGON on the 20th to take up an appointment, to
provide them with a detailed report, I wish secrecy to be
maintained in handling the matter.

3. HIKARI KIKAN SIGNAL RE. 'T'
24 Aug. 1945
To: OC Malay Branch (TN: ? not clear)
OC SAIGON EMBARKATION POINT.
Chief of Staff, Southern Army.

FROM: OC HIKARI KIKAN.

Re. death of 'T'. Please ensure that Indian communities
are informed of the DOMEI despatch reporting 'T's death.

Document 128

4. HIKARI Message 1020
27 Aug 1945

TO: Chief of Staff, Southern Army
From: OC HIKARI KIKAN

Request urgently the report on the later progress
of Col. 'HASTB RAMAN'.

M.B. These messages were found in the ordinary file in their
proper place and numbered and docketed in the usual manner.
There was nothing suspicious about them and they did not
appear to be interpolations.

Signals No. 4, 5, & 6.
SEATIC DOCUMENT 128

DN
pp.8. Hyder
Capt. OC Section

36

INTERROGATION REPORT - MAJOR TAKAHASHI, Kiyoji, Hikari Kikan

SUBJECT: Signals re Bose's reported death Nos. 4, 5 and 6, SEATIC
File No. 128.

Notes on source: Up to May 45 Adj. Hikari Kikan; since May 10th Adj. and OC 4 'HAN'. Appears and discreet but no obstructionist. As adj. his job similar to that of British Adj. - admin. and internal discipline and not concerned with more secret activities of H.K. (this prob. fine) was not questioned on his tasks as OC 4 'HAN'.

Source had not seen Signal No. 5 before, but had himself sent signal No. 6, Signal No 5 (viz. notification of Bose's death) sent by ISODA from SAIGON: Top secret and only to be read by Col. KAGAWA and Capt. YAMAMURA, HYOSHI both of whom are high grade staff officers (SAISO). Apart from ISODA no other officers in H.K. were allowed to read such Top Secret messages (wireless signatures only see such messages in Syllabic Script and prob. cannot understand them). Message has been initialled by YAMAMURA and ISODA (after his return) though not by KAGAWA who must have seen it.

Sig. No. 5 3 meaning "contre" is I.G.S. Tokio. TADA, presumably a Southern Staff Officer, NOT a H.K. Officer, is to take a detailed report on the accident to Tokyo, when he leaves to take up an appointment (obviously in Japan).

3 second half: The 'secrecy to be maintained in handling the matter must apply to the fact that investigations are proceeding to prove the truth or falsehood of the report of Bose's death NOT is the report itself since in Sig. No. 6 instructions are given to broadcast to Indians generally the report as given by the Domei Agency.

Implication of this seems to be that ISODA had some doubts himself of the truth of the report. Source half agreed that this is a reasonable implication. He himself knew no more than was given in the Domei report. Had seen neither photographs nor other proofs of the accident (reasonably, as he was not in the secret), but did not think that any had in fact arrived in Bangkok. Proofs, if any might be in SAIGON.

25.9.45.

D. MITCHELL Lieut RA

SEATIC Att. IAN

ANNEXURE-IX

COM. 24(D) 52

37

CONFIDENTIAL

General Headquarters
UNITED STATES ARMY FORCES, PACIFIC.

Adv Ech
APO 500
8 Oct 45.

CZ/42.

C in C INDIA
(Att D.M.I.)

Death of S.C. BOSE.

1. Further to our Z/45 of 25 Sep. a copy is sent herewith of report by Counter Intelligence Corps GIC APPAC covering information on the death of S.C. Bose resulting from interrogation of Habibullah Rahman (referred to in the report as HABIB UR RAHMAN KHAN).

2. It will be seen that this account corresponds almost identically with the facts given in the report forwarded with the above-mentioned letter, but unfortunately the evidence cannot be regarded as conclusive, since we have reason to believe that the Japanese Government also drew on Habibullah Rahman for the information submitted to us.

3. The Counter Intelligence Corps has been asked to obtain for us from the Japanese Government copies of the photographs referred to at the foot of page 2 of the report, and these will be forwarded to you as soon as received.

Sd/- John Figgess.
Lieut Col.
British Staff Section.

ANNEXURE - X

Com. 24(E)

TOP SECRET.

DIB / IAU

7 Divn. Bangkok.

Refce. DTB/B.2

Dated 10.10.45.

SUBHAS CHANDRA BOSE.

1. Since the Note dated 5.10.45, some further information has been received concerning BOSE's death.
2. The informant in close touch with BOSE, who is referred to in the original Report, has been examined again, and now says that BOSE's party for Saigon on the 17th of August did not go in BOSE's own plane, but in 2 aircraft which the Japanese here had placed at BOSE's disposal. Both were apparently two-engined bombers of an unknown make, and both appeared to be old.
3. The first plane contained BOSE, IYER, HABIBUR RAHMAN, GULZAR SINGH and DEB NATH DAS. In the other plane were Lt/Gen. ISODA HACHIYA, PRITAM SINGH and Maj. HASSAN. ISODA and HACHIYA returned to Bangkok a few days later. They did not give any information to any of the Indian community until a junior officer, ISHIKAWA, was sent from the Hikari Office to confirm the death news published by Domei Agency on August 23rd. So far as the informant knows, this was the only conversation anybody in the Hikari had with the League people about BOSE's death.
4. DIB Saigon say that air-field records there have all been destroyed. The Japanese air-force control officer however has been examined. He thinks that the plane left Saigon on the 18th or 19th, and says that it was a bomber type "Sally". This officer says that the telegraph service to Singapore from Taihoku reported the death, saying that the port motor of the aircraft fell out soon after take-off. This, to a certain extent, corroborates the Hikari messages mentioned in the first Report.
5. Asked why he did not give the correct description of BOSE's departure when originally asked, the informant said that he did not realise so much detail was required. Also he had forgotten that it was not BOSE's own aircraft which he says was destroyed on Bangkok air-field by Allied strafing some months ago (possibly December 1944).

Sd/-

Asstt. Director
Intelligence Bureau
Government of India
attached I.A.U.

7 Divn.
Bangkok.

ANNEXURE-XI

COM. 24(F)

154

SECRET

SUBJECT: BOSE
SAIGON ENCLAVE

Captain YOSHIDA of the Japanese Air Force Staff at SAIGON was interviewed on 5/10/45 in connection with the movements of S.C. BOSE through SAIGON during August. Interrogations of local Indians have only elicited the information that BOSE arrived by air from SINGAPORE on the 17th. at 10.00 hrs and left the same day at 14.00 hrs. According to them, he met a number of Japanese officers at the house of KARAINIDAS but that he did not disclose his intentions to anyone. The identities of the Japanese officers are not known.

2. Source states that the records of aircraft arrivals and departures have been destroyed but that he can remember certain details of important movements during the period. He has no recollection of how, when or from where BOSE arrived. He thinks he left on the 18th or 19th at 14.00 or 15.00 hrs. There is no reason to doubt that the date was in fact the 17th and source is only relying on his memory.

3. The aircraft used was a K21 Heavy Bomber (SALLY) and the final destination was TOKYO. The aircraft belonged to the 3rd Air Army (HQ SINGAPORE), chief pilot Sub/ Lt AOYAKAGI. The passengers were:-

1. S.C. BOSE
2. One Indian Major, Lt. Col. or Col.
3. Lt. General SHIDEI (former C of S, Burma Army)
4. Lt. Col. SALAI)
5. " NONOGAKI)
6. Major KAWANO) of the Japanese Air
7. " TAKAHASHI) Force.
8. " TAKAZAWA)
9. " AKAI)

The Japanese officers had been waiting for transport to TOKYO, where they were proceeding on transfer.

4. Source believes that the pilot's first instructions were to fly to TAIHOKU direct but that he was ordered subsequently to make a stop at TOURANE. In view of the distance involved and the time of departure, it is most improbable that a direct flight to TAIHOKU was attempted and the plane stopped the night at TOURANE.

5. Source stated that a JAF services signal from TAIHOKU was later received by the JAF in SAIGON in which it was reported that the port motor dropped out of the aircraft after taking off from TAIHOKU on the day following. He heard that Gen. SHIDEI and one member of the crew were killed instantly and that several more, including BOSE, died later. The rest were injured seriously. He has promised to try and trace the signal but is not hopeful.

6. The information given by this officer corroborates the other information available on BOSE's fate. The ultimate confirmation will be available only in FORMOSA or beyond. It is not known here whether the injured persons especially TAIHOKU-TH-RAIDAH have yet been traced.

CD/- P.F. MONTAGNE I.F.
7 Oct. 1945.

Forwarded to C.I.C.B. Success
D.I.B., India
for information.

ANNEXURE - XII

COM. 24(4)

SECRET

DIB/IN
A/SIA
Bangkok

Refer: DIB/E/2

17.11.45.

Subject: SUBHAS CHANDRABOSU

1. S. CHANDRABOSU is in the course of writing a long statement on the activities of the Indian National Congress. The undersigned interviewed him this afternoon and he gave the following information concerning Bose's departure from Bangkok.

2. Watanabe was a civilian interpreter attached to the Military branch of the Hikari Kiken. He was transferred from E. Kiken to the Embassy on or about 14th August.

3. On or about 17th August (cannot remember exact date) he was called to interpret a conversation between Lt. Gen. ISODA and Col. KAGAWA on the one hand and SUBHAS BOSE, "Maj. Gen." BODGEL & "Lt. Col." RABIBUR RAHMAN. This took place at Gen. Isoda's house. When Watanabe reached there, the conversation was almost over, and Isoda was speaking with any interpreter. They were discussing how to get Mr. Bose to his destination. It was generally understood that he was to get to the Russians, probably to Manchuria. There were some doubts as to whether Southern Command in Saigon had planes to offer Bose.

4. With regard to Bose's going to Russia, it was an understood thing that in the Embassy and in the Hikari Kiken that he was going to hand himself up to the Russians in Manchuria. W. does not know further details, nor does he know whether he came to any terms with the Russians. It is unlikely that the Russians knew anything about this, because at the end of 1944 at the Tokyo Conference, Bose proposed to the Japanese that he should transfer his independence movement to Russia. He thought that the Japanese were beaten, or at any rate that they would not be able to assist his attack on India and Burma. The Japanese, however, refused to entertain any such idea.

5. When the situation got worse following the fall of Bangkok, and after the Wavell offer, Bose thought there would be trouble between Great Britain and Russia. He became desperate about the Wavell offer and again asked the Japanese to open up negotiations with the Russians. W. does not know what became of this.

6. Bose left with Isoda for Saigon on 17.8.45. The next W. heard was talk in the Embassy circles that one of the motors, or the propeller had fallen off the plane in which Bose and Col. Rabibur Rahman were leaving Taihokm airfield in Burma. Bose died of his injuries along with a Japanese Lieut. General. Rabibur Rahman was injured. It was generally accepted amongst the Embassy staff that Bose had died, though W. saw no papers on the subject.

36. P. R. S. Flaney.
Assistant Director, I. B.
Government of India,
Attached I. B.

DM/ 20.6.56.

50/8/AS/152/2001
9.7

se m. 48
4758/AS(US-1)/01
10/7

Order 2122/1501/2001
1156 11/7/2001

Most Immediate

PRIME MINISTER'S OFFICE

Please find enclosed a copy of letter dated 29.6.2001 received from the Justice Mukherjee Commission of Inquiry enclosing a Xerox copy of the pages 455 of 456 of Parliamentary Proceeding dated 28.8.78.

It is requested that urgent efforts may kindly be made to locate the documents based on which the Prime Minister had made the statement in the Parliament on 28.8.1978 and copy of the same be sent direct to the Commission under intimation to this office.

Alok
[Alok Mukhopadhyay]
Under Secretary(Pol)

1. Joint Secretary, (AMS & CNV)
Ministry of External Affairs
- ✓ 2. Joint Secretary (IS-D), MHA
3. Director (History Division)
M/o Defence
3/West Block-8, Wing I
R.K Puram, New Delhi

PMO U.O. No. 915/11/C/2/2000-Pol dated July 9, 2001

US DIV
Pl. Put up quickly
9/7

JUSTICE MUKHERJEE COMMISSION OF INQUIRY

FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF

NETAJI SUBHAS CHANDRA BOSE.

'B' Block, (Third Floor)

11/A Mirza Ghalib Street, Calcutta 700087

Phone:

Chairman - 216-2000

Secretary - 216-2101

Officer in

Special Duty - 216-2101

Office - 216-2101

REGISTERED POST

WITH A/D.

No. JMCI/Records/N.Delhi/99-2000/37/178. Calcutta, dated, the 29.06.2001.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Prime Minister's Office,
Government of India,
South Block,
New Delhi-110001.

S i r,

I am directed to send herewith a xerox copy of the pages 455 and 456 of purported Parliamentary Proceedings dated August 28, 1978 wherefrom it appears that Late Morarji Desai, the then Prime Minister of India, stated, inter alia, on the floor of the Parliament on August 28, 1978, as follows :-

"some further contemporary official documentary records have also become available. In the light of those doubts and contradictions and those records, Government find it difficult to accept that the earlier conclusions are decisive." (Emphasis supplied)

I am directed to request you to ensure production of duly attested xerox copies of all those "further contemporary official documentary records", which were admitted to have become available to the Government of India, as stated by the then Prime Minister on August 28, 1978 on the floor of the Parliament, before the Commission within six weeks of the receipt of this letter.

Yours faithfully,

(P. K. Sengupta)
Secretary

Encl : As stated above.

[Shri Vasant Sathe]

I find sometimes a contradiction in our behaviour. Statues or portraits are normally unveiled of only those who are no more with us. It is very seldom, except in the South, that a statue is unveiled of a person who is still alive. Normally it is not done. In the present case, on the one hand, we have unveiled the statues and portraits; on the other hand, we are maintaining that he is still alive. I think there is some contradiction which needs reconciliation.

If, for any reason, it is felt that the recommendation or report of the Commission is wrong, throw it out and have another fresh enquiry. In all seriousness, I would submit to Morarjibhai that the only authority on this subject, who can go into it, who can really go to the areas where there is a likelihood of finding Subhas Chandra Bose is Prof. Samar Guha. He has photographs with him. I think, there should be a one-man Commission I am saying it in all humility and seriousness and that should be headed by Prof. Samar Guha. He can take all the assistance, the entire Government machinery can be placed at his disposal and he might even take the assistance of your scientific astrologer. There is substance in astrology and may be that it would help. But if any one can find Netaji Subhas Chandra Bose for us and if on any one's behalf supposing Netaji has taken sanyas, as the Astrologer says, and even then if any one can persuade him to come even in sanyas at least to give darshan to his people, it is only Prof. Samar Guha and nobody else. He has such a devotion and completed identification that you cannot find in anyone else. I would request the hon. Prime Minister, Shri Morarji Desai to appoint a one-man Commission headed by Prof. Samar Guha, give him all the assistance than one can think of. Let him try his best to bring Subhas Chandra Bose to this land.

With these words I conclude.

THE PRIME MINISTER (SHRI MORARJI DESAI): Mr. Chairman, Sir, I may differ sometimes from hon. friend, Mr. Samar Guha, but I can never doubt, even in my sleep, his sincerity. I have great admiration for the dedication with which he is pursuing this cause and yet we have to be realistic in this matter.

There have been two enquiries into the report of the death of Netaji Subhas Chandra Bose in the air-crash on 18th August 1945 at Taihoku air-field during his air-journey to Manchuria, one by a Committee presided over by Maj. General Shah Nawaz Khan and the second by a one-man Committee of enquiry headed by Shri G. D. Khosla, retired Judge of the Punjab High Court. The Majority report of the first Committee and Shri Khosla held the report of the death as true. Since then, reasonable doubts have been cast on the correctness of the conclusions reached in the two reports and various important contradictions in the testimony of witnesses have been noticed. some further contemporary official documentary records have also become available. In the light of those doubts and contradictions and those records, Government find it difficult to accept that the earlier conclusions are decisive. At the same time, Government feels that no useful purpose would be served by having any further inquiry. I hope that in the light of this statement, my hon. friend will withdraw his motion.

PROF. SAMAR GUHA (Contd.): Sir, Today is a great day for the whole Indian people, because a mortal sin, a treacherous crime that was committed against the epic hero of Indian freedom has been undone. If I say that Netaji was given burial, out of political conspiracy, it would not be an exaggeration. Although there was not an iota of doubt or any positive proof to the contrary that the plane crash was nothing but fake, and the alleged crash did not involve Netaji at all.

189
MOST IMMEDIATE

No. I/12014/13/2000-IS(D.III)
MINISTRY OF HOME AFFAIRS
IS DIVISION (US D.IV)

* * * *

Prime Minister's Office has enclosed a copy of letter dated 29.6.2001 received from Justice Mukherjee Commission of Inquiry enclosing a xerox copy of pages 455 and 456 of Parliamentary Proceeding dated 28.8.1978 and has requested that efforts may be made to locate the documents based on which the Prime Minister had made the statement in the Parliament on 28.8.1978 and a copy of the same sent directly to the Commission under intimation to Prime Minister's Office. A copy of PMO U.O. Note dated July 9, 2001 alongwith enclosure is attached herewith.

2. It is requested that efforts may be made to locate the relevant documents/records both in the Ordinary Record Room/Secret Record Room and the required documents, if available, sent to this Division for onward transmission to Justice Mukherjee Commission of Inquiry.

3. This may be treated as 'MOST IMMEDIATE'.

(V.P. BHATIA)
Under Secretary (D.IV)
20.7.2001

Deputy Secretary (Estt.), M.H.A.

(Shri Gurmel Singh)

Dr. 20/7/01

Please im
hr
20/7

1 SHR
TAM

5275/JS(15-1)/01
17/7

160

~~CC no. 100~~

5051/JS(15-1)/01
18/7

MOST IMMEDIATE
Reminder-I

2253/JS(15-1)/2001
19/7

PRIME MINISTER'S OFFICE

**Subject: Letter from the Justice Mukherjee Commission
regarding P.M.'s statement in the Parliament.**

Reference is invited to this office u.o. note of even number dated 9.7.2001 on the subject noted above.

It is requested that this office may kindly be informed whether documents based on which the Prime Minister had made the statement in the Parliament on 28.8.1978 could be located and if so, a reply to the Commission may kindly be expedited.

Alok
[**Alok Mukhopadhyay**]
Under Secretary(Pol)

1. **Joint Secretary, (AMS & CNV)
Ministry of External Affairs**
- ✓ 2. **Joint Secretary (IS-I), MHA**
3. **Director (History Division)
M/o Defence
3/West Block-8, Wing I
R.K Puram, New Delhi**

PMO U.O. No. 915/11/C/2/2000-Pol

dated July 17, 2001

Pl. ask record room in charge
to certify.

17.7

DS(15-1)

17.7
18.7
US(15-1)

URGENT

Pl. re-confirm from the
Record Room.

161

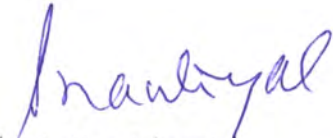
~~SECRET~~

Secret
Most Immediate

INTELLIGENCE BUREAU
(Ministry of Home Affairs)

MHA may please refer to their ID Note No.1/12014/13/2000-15(D.III) dated 18.07.01, regarding availability or non-availability of records pertaining to the disappearance of Netaji Subhash Chandra Bose.

2. It is requested that a copy of the MHA letter forwarding the documents authenticated by IB to the Justice Mukherjee Commission of Inquiry may also please be made available.


(PP Nautiyal)
Addl. Deputy Director

MHA : (Shri VP Bhatia Under Secretary/IS-D.III)
DIB UO No.IV/8(66)/2001- 1258 Dated : 26.07.2001

De. no. 94-162

JUSTICE M.K. MUKHERJEE COMMISSION OF INQUIRY

Status Report as on October 9, 2001 showing action taken on/compliance with the orders/directions including those contained in the Proceedings dated 13.06.2001 read with proceedings dated 23.03.2000, 13.06.2000, 31.08.2000, 28.09.2000, 23.11.2000, 22.12.2000, 17.01.2001, and 04.04.2001 of the Commission

1. Copies of the Status Report as on 20.08.2001 (forenoon) were sent for favour of taking necessary action to the Secretaries, Ministry of Home Affairs, Ministry of external Affairs, Prime Minister's Office, Defence Department and Cabinet Secretariat, Government of India, by Registered Post with A/D with Commission's letter bearing No. JMCI/Meeting-Hearing/99-2000/48(Vol.III)/309(5) dated September 19, 2001 wherewith a copy of the proceedings dated August 22, 2001 of the Commission was also sent for their kind perusal.
- ✓ 2. The Secretary, Ministry of Home Affairs, Government of India, has been requested by Commission's letter No. JMCI/Meeting-Proceedings (Follow-up)/48 (Vol.II)/274 dated August 23, 2001 to let the Commission know, within six weeks from the date of receipt of the letter, which of the files/records/documents mentioned in paras (a)(I) and (a) (iii) of the proceedings dated March 23, 2001 of the Commission pertain to the Prime Minister's office, which of them pertain to the Ministry of Defence and which of them pertain to the Ministry of External Affairs, Government of India, to enable the Commission to take further action in the matter. No reply has yet been received from the Ministry of Home Affairs, Government of India.
3. The Secretary, Ministry of External Affairs, Government of India, has been requested by Commission's letter No. JMCI/Meeting-Proceedings(Follow-up)/48(Vol.II) /272 dated August 23, 2001 to kindly arrange to locate further records of the Shah Nawaz Khan Committee and send them to the Commission expeditiously. The response of the Ministry of external Affairs, Government of India, in the matter is still awaited.

4. The Director General of the National Archives of India, has been requested by Commission's letter No. JMCI/Meeting-Proceedings(Follow-up)/48(Vol.II)/271 dated August 23, 2001 to report to the Commission immediately whether Micro-films of Mountbatten and Wavel papers are available in the National Archives of India and, if available, to send to the Commission authenticated xerox copies thereof as quickly as possible. The response of the National Archives of India in the matter is still awaited.

✓ 5. In Commission's letter No. JMCI/Meeting-Proceedings(Follow-up)/48(Vol.III)/262 dated August 20, 2001 addressed to the Secretary, Ministry of Home Affairs, Government of India, it has been pointed out that neither the original records of the day-to-day proceedings of Justice Khosla Commission of Inquiry nor any authenticated copy thereof has yet been received by the Commission. He has been requested therein to ensure more vigorous efforts to locate all the remaining records pertaining to the Justice Khosla Commission of Inquiry including the documents presented before the said Commission, the documents not received by it in spite of its requisition and the documents which were made exhibits before it and to make all those records/documents available to this Commission as quickly as possible as those are essentially required by this Commission for the purpose of its inquiry. The response of the Ministry of Home Affairs, Government of India, in the matter is still awaited.

✓ 6. Late Morarji Desai, the then Prime Minister of India, declared inter alia in the floor of Parliament on August 28, 1978 that "Further contemporary official documentary records have also become available" concerning Netaji Subhas Chandra Bose. The Secretary, Ministry of Home Affairs, Government of India, by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/177 dated June 29, 2001 has been requested to ensure production of duly attested xerox copies of all those "further contemporary official documentary records" before this Commission within six weeks from the date of receipt of the letter. In course of the discussion of the Hon'ble Chairman with the Hon'ble Home Ministry on 13.08.2001, the Hon'ble Chairman also requested for making available to the Commission authenticated xerox copies of all those "further contemporary official documentary records which have also become available"

6 (Contd) concerning Netaji Subhas Chandra Bose. A reminder was sent to the Secretary, Ministry of Home Affairs, Government of India, vide Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/307 dated September 18, 2001. Those documents/ records are yet to be received.

7. The report and the Affidavit, as called for, from the Ministry of Home Affairs, Government of India, in Commission's letter No. JMCI/Affidavit-Averments(Follow-up)/2000-2001/67/228 dated August 1, 2001 read with its letter No. JMCI/Affidavit-Averments(Follow-up)/2000-2001/67/320 dated September 20, 2001, have not yet been received.

8. The Secretary, Prime Minister's office and the Secretary, Ministry of Home Affairs, Government of India, were requested by Commission's letter No. JMCI/ /Records/N.Delhi/99-2000/37(Vol.II)/318(2) dated September 20, 2001 to confirm whether an affidavit was filed before Justice Khosla Commission on behalf of the Government of India wherein it was averred, inter alia, that more than 34 'confidential files' relating to 'Netaji Mystery' were found either 'destroyed or missing' and if so, they were requested to furnish a copy of the said affidavit with a detailed explanatory note on the contents of each of the said 34 confidential files allegedly destroyed or missing. The response to the said letter is being awaited.

9. The Ministry of Home Affairs, Government of India, by Commission's letter No. JMCI/Affidavit-Averment(Follow-up)/2000-2001/67/132 dated May 30, 2001 was requested to furnish the original or authenticated copies of the documents relied upon by some deponents in their affidavit/supplementary affidavits, xerox copies of which were sent to the Ministry of Home Affairs, Government of India, with Commission's letter No. JMCI/Affidavit-Averments(Follow-up)/67/263 dated September 20, 2000. In response thereto the Ministry of Home Affairs sent to the Commission a copy of the letter dated July 4, 2001 addressed to different authorities of the Government of India, wherein they were requested to go through the list of documents enclosed therewith and if necessary, to submit an affidavit before the Commission directly. The Ministry of Home Affairs was requested by Commission's letter No. JMCI/Affidavit-Averments (Follow-up)/67/228 dated August 1, 2001 to clarify with a supporting affidavit whether

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(Contd.)

or not the Ministry of Home Affairs, Government of India, is at all concerned in the matter of furnishing the documents mentioned and relied upon by the deponents concerned. The Ministry of Home Affairs was again requested by the Commission's letter No. JMCI/Affidavit-Averments(Follow-up)/67/320 dated September 20, 2001 to take necessary action to send the report with the supporting affidavit as quickly as possible as also to indicate the name of the authority concerned of the Government of India against each of the documents mentioned and relied upon by the deponents concerned to enable the Commission to pursue effectively with the authorities concerned of the Government of India for production before the Commission their respective documents. The said reports and affidavits of the Ministry of Home Affairs, Government of India, are still awaited.

10. The Director General of National Archives, Government of India, was requested by Commission's d.o. No. JMCI/DOC(FOR)/99-2000/56(Vol.II)/286 dated September 5, 2001, to inform the Commission whether they have got Micro-Films/Micro-Fiches of the files/documents of the public records office of the British Library which were listed by the team of the Commission after their study of the files/documents in the British Library and the Public Records office so that the Commission may obtain transcriptions from those Micro-films/Micro Fiches or authenticated xerox copies of the entire File No. K 148/A of Mountbatten papers in the Heartley Library of the Southampton University or at least of the papers listed in the said letter dated September 5, 2001 of the Commission. The receipt of the aforesaid Micro-Films/Micro-Fiches/Authenticated xerox copies are still awaited.

11. The Ministry of External Affairs, Government of India, has been requested by Commission's letter No. JMCI/Overseas/2000-01/70/283 dated September 3, 2001 to take up with the Embassy of India in Tokyo so that lists of witnesses sent by them to the Commission with their No. 25/4/NGO-Vol.VI dated March 27, 2001 are verified in view of the anomalies pointed out in the Commission's said letter dated September 3, 2001 and a corrected and up-to-date list of witnesses along with their respective present correct addresses sent to the Commission as early as possible to enable it to draw up a programme or examination of the witnesses in Japan during the proposed

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visit of the Commission to Japan. The Ministry of External Affairs, Government of India have informed that they have taken up the matter with the Indian Embassy in Tokyo.

12. (a) D.O. No. 25/4/NGO-Vol.VI dated September 26, 2001 has been received from the Hon'ble Minister of External Affairs, Government of India, in reply to the Hon'ble Chairman's d.o. No. JMCI/Doc(For)/99-2000/56(Vol.II)/267 dated August 21, 2001 regarding inspection of documents relating to Netaji Subhas Chandra Bose stated to be lying in different foreign countries. In this communication the Hon'ble Minister has stated that the points raised in the Hon'ble Chairman's letter have been taken up with the diplomatic mission of India in the countries concerned and that they (Ministry of External Affairs) would keep the Commission informed about the outcome of their efforts in this regard.

(b) Ministry of External Affairs, Government of India, with their d.o. letter No. 25/4/NGO-Vol.VI dated October 1, 2001 has sent to the Commission some xerox copies written in Russian along with their English translation which have been sent to them by the Russian Foreign Office through the Indian Mission in Moscow stating those to be "all available documents received from different Archives in the Russian Federation". The said d.o. letter and its enclosures have been received by the Commission on October 8, 2001 and will be scrutinized in due course.

13. The Ministry of External Affairs, Government of India was requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/106 dated May 28, 2001 to send a true copy of the report of the Government of India in the Foreign Ministry allegedly submitted before the Khosla Commission and marked as Exhibit 29-I which is allegedly concerning another alleged report dated 17.10.1945 of the Director of the British Military Intelligence Department on a Secret Japanese message allegedly intercepted by the Chinese advising Netaji Subhas Chandra Bose to be separated from his fellow travellers at the time of his journey from Burma in an aircraft. The Ministry of External Affairs in their d.o. No. 25/4/NGO-POL.VI dated September 6, 2001 intimated that they were making every effort to trace the same and will revert to the Commission shortly in this matter. Further development is still awaited.

By registered
post with A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700 087

FAX: 033 216-2765

Phone: 169

Chairman -- 252-2835
Secretary -- 252-2767
Officer on
Special Duty -- 252-2765
Office -- 252-2766/68.

e-mail jmcinscb@cal3.vsnl.net.in

No. JMCI/Meeting-Proceedings(Follow-Up)/48(Vol.III)/402(3)

Dated : November 9, 2001.

From : Shri M. Roy, IAS (Retd.)
Officer on Special Duty

- To : 1) The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.
- 2) The Secretary
Ministry of External Affairs,
Government of India,
South Block,
New Delhi-110001.
- 3) The Secretary,
Prime Minister's Office,
South Block,
New Delhi-110001.

S i r,

I am directed to send herewith a copy of the Status Report as on October 9, 2001 showing action taken on/compliance with the orders/directions of the Commission including those contained in its various proceedings. The said Status Report may kindly be perused along with the proceedings dated October 17, 2001 (Eleventh-D 3) sent herewith to take necessary action in the matter and to ensure compliance with the directions of the Commission contained therein.

Yours faithfully,

(M. Roy)
Officer on Special Duty

Enclo: As stated above.



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JUSTICE M.K. MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated 17th October 2001 (Eleventh – D 3)
Held at Committee Room "C" of Vigyan Bhavan Annexe,
New Delhi

October 17, 2001

The only witness present today is Sitanshu Mohan Das (CW 56). In course of his examination he has admitted that he has written the book 'Subhas – A Political Biography'; and the book has been marked Exhibit 82.

Four other witnesses namely Mr. Jai Singh, Mr. Satindra Pal Singh Sharma, Sm. Prabha Jagannathan and Mr. Janardan Das have not appeared to testify in spite of service of summons upon them. Let fresh summons be served upon them intimating that if they do not appear to depose on the next date of hearing, coercive measures will be taken against them to ensure their appearance before the Commission.

After examination of the witnesses, the parties and/or their lawyers present have been heard about the 'Status Report as on October 09, 2001' prepared by the Commission and circulated to all the parties present. They have submitted that as the Central Government has not yet fully complied with the orders / directions passed from time to time by the Commission asking the Government to produce the relevant records / documents, stern steps may be taken to enforce their production

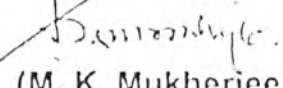
The Commission started its public hearing in March, 2000. Since then various orders / directions have been passed and reminders issued, seeking relevant information / records from various Ministries / Offices of the Government of India to enable the Commission to discharge its functions effectively and expeditiously. Unfortunately however, the production of some of the records / documents, which appear to be germane to the terms of reference are still awaited. In that context, it is felt that the time is now ripe to impress upon the various Ministries / Offices concerned of the Government of India that unless the earlier orders / directions of the Commission are fully complied with within a definite time frame, it will be well nigh impossible for the Commission to satisfactorily complete its momentous and monumental task. Placed in such a predicament, the Commission is left with no other alternative but to issue the following directions :

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- a) By the next date of hearing, the Ministries of Home Affairs and External Affairs and the office of the Prime Minister shall file their responses to the statements made in the 'Status Report as on October 09, 2001' (except those contained in paragraphs 10 & 11) so far as they relate to their Ministries / Office, through affidavits filed by officers not below the rank of Joint Secretary ; and
- b) On the next date of hearing the officers swearing the affidavits must be present to answer any questions that may be raised relating to their statements made therein.

To enable the Ministries / Office concerned to comply with the above directions, let a copy of the 'Status Report' mentioned above be forwarded to each of them along with a copy of this order.

The next hearing of the Commission will be on December 19 and 20, 2001 (at 11 AM on both days) in one of the Committee Rooms of Vigyan Bhavan Annexe, New Delhi.


(M. K. Mukherjee)
Chairman

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JUSTICE M.K. MUKHERJEE COMMISSION OF INQUIRY

Status Report as on October 9, 2001 showing action taken on/compliance with the orders/directions including those contained in the Proceedings dated 13.06.2001 read with proceedings dated 23.03.2000, 13.06.2000, 31.08.2000, 28.09.2000, 23.11.2000, 22.12.2000, 17.01.2001, and 04.04.2001 of the Commission

Copies of the Status Report as on 20.08.2001 (forenoon) were sent for favour of taking necessary action to the Secretaries, Ministry of Home Affairs, Ministry of external Affairs, Prime Minister's Office, Defence Department and Cabinet Secretariat, Government of India, by Registered Post with A/D with Commission's letter bearing No. JMCI/Meeting-Hearing/99-2000/48(Vol.III)/309(5) dated September 19, 2001 wherewith a copy of the proceedings dated August 22, 2001 of the Commission was also sent for their kind perusal.

2. The Secretary, Ministry of Home Affairs, Government of India, has been requested by Commission's letter No. JMCI/Meeting-Proceedings (Follow-up)/48 (Vol.II)/274 dated August 23, 2001 to let the Commission know, within six weeks from the date of receipt of the letter, which of the files/records/documents mentioned in paras (a)(I) and (a) (iii) of the proceedings dated March 23, 2001 of the Commission pertain to the Prime Minister's office, which of them pertain to the Ministry of Defence and which of them pertain to the Ministry of External Affairs, Government of India, to enable the Commission to take further action in the matter. No reply has yet been received from the Ministry of Home Affairs, Government of India.

3. The Secretary, Ministry of External Affairs, Government of India, has been requested by Commission's letter No. JMCI/Meeting-Proceedings(Follow-up)/48(Vol.II) /272 dated August 23, 2001 to kindly arrange to locate further records of the Shah Nawaz Khan Committee and send them to the Commission expeditiously. The response of the Ministry of external Affairs, Government of India, in the matter is still awaited.

4. The Director General of the National Archives of India, has been requested by Commission's letter No. JMCI/Meeting-Proceedings(Follow-up)/48(Vol.II)/271 dated August 23, 2001 to report to the Commission immediately whether Micro-films of Mountbatten and Wavel papers are available in the National Archives of India and, if available, to send to the Commission authenticated xerox copies thereof as quickly as possible. The response of the National Archives of India in the matter is still awaited.

5. In Commission's letter No. JMCI/Meeting-Proceedings(Follow-up)/48(Vol.III)/262 dated August 20, 2001 addressed to the Secretary, Ministry of Home Affairs, Government of India, it has been pointed out that neither the original records of the day-to-day proceedings of Justice Khosla Commission of Inquiry nor any authenticated copy thereof has yet been received by the Commission. He has been requested therein to ensure more vigorous efforts to locate all the remaining records pertaining to the Justice Khosla Commission of Inquiry including the documents presented before the said Commission, the documents not received by it in spite of its requisition and the documents which were made exhibits before it and to make all those records/documents available to this Commission as quickly as possible as those are essentially required by this Commission for the purpose of its inquiry. The response of the Ministry of Home Affairs, Government of India, in the matter is still awaited.

6. Late Morarji Desai, the then Prime Minister of India, declared inter alia in the floor of Parliament on August 28, 1978 that "Further contemporary official documentary records have also become available" concerning Netaji Subhas Chandra Bose. The Secretary, Ministry of Home Affairs, Government of India, by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/177 dated June 29, 2001 has been requested to ensure production of duly attested xerox copies of all those "further contemporary official documentary records" before this Commission within six weeks from the date of receipt of the letter. In course of the discussion of the Hon'ble Chairman with the Hon'ble Home Ministry on 13.08.2001, the Hon'ble Chairman also requested for making available to the Commission authenticated xerox copies of all those "further contemporary official documentary records which have also become available"

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concerning Netaji Subhas Chandra Bose. A reminder was sent to the Secretary, Ministry of Home Affairs, Government of India, vide Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/307 dated September 18, 2001. Those documents/ records are yet to be received.

7.

The report and the Affidavit, as called for, from the Ministry of Home Affairs, Government of India, in Commission's letter No. JMCI/Affidavit-Averments(Follow-up)/2000-2001/67/228 dated August 1, 2001 read with its letter No. JMCI/Affidavit-Averments(Follow-up)/2000-2001/67/320 dated September 20, 2001, have not yet been received.

8.

The Secretary, Prime Minister's office and the Secretary, Ministry of Home Affairs, Government of India, were requested by Commission's letter No. JMCI/ /Records/N.Delhi/99-2000/37(Vol.II)/318(2) dated September 20, 2001 to confirm whether an affidavit was filed before Justice Khosla Commission on behalf of the Government of India wherein it was averred, inter alia, that more than 34 'confidential files' relating to 'Netaji Mystery' were found either 'destroyed or missing' and if so, they were requested to furnish a copy of the said affidavit with a detailed explanatory note on the contents of each of the said 34 confidential files allegedly destroyed or missing. The response to the said letter is being awaited.

9.

The Ministry of Home Affairs, Government of India, by Commission's letter No. JMCI/Affidavit-Averment(Follow-up)/2000-2001/67/132 dated May 30, 2001 was requested to furnish the original or authenticated copies of the documents relied upon by some deponents in their affidavit/supplementary affidavits, xerox copies of which were sent to the Ministry of Home Affairs, Government of India, with Commission's letter No. JMCI/Affidavit-Averments(Follow-up)/67/263 dated September 20, 2000. In response thereto the Ministry of Home Affairs sent to the Commission a copy of the letter dated July 4, 2001 addressed to different authorities of the Government of India, wherein they were requested to go through the list of documents enclosed therewith and if necessary, to submit an affidavit before the Commission directly. The Ministry of Home Affairs was requested by Commission's letter No. JMCI/Affidavit-Averments (Follow-up)/67/228 dated August 1, 2001 to clarify with a supporting affidavit whether

or not the Ministry of Home Affairs, Government of India, is at all concerned in the matter of furnishing the documents mentioned and relied upon by the deponents concerned. The Ministry of Home Affairs was again requested by the Commission's letter No. JMCI/Affidavit-Averments(Follow-up)/67/320 dated September 20, 2001 to take necessary action to send the report with the supporting affidavit as quickly as possible as also to indicate the name of the authority concerned of the Government of India against each of the documents mentioned and relied upon by the deponents concerned to enable the Commission to pursue effectively with the authorities concerned of the Government of India for production before the Commission their respective documents. The said reports and affidavits of the Ministry of Home Affairs, Government of India, are still awaited.

10. The Director General of National Archives, Government of India, was requested by Commission's d.o. No. JMCI/DOC(FOR)/99-2000/56(Vol.II)/286 dated September 5, 2001, to inform the Commission whether they have got Micro-Films/Micro-Fiches of the files/documents of the public records office of the British Library which were listed by the team of the Commission after their study of the files/documents in the British Library and the Public Records office so that the Commission may obtain transcriptions from those Micro-films/Micro Fiches or authenticated xerox copies of the entire File No. K 148/A of Mountbatten papers in the Heartley Library of the Southampton University or at least of the papers listed in the said letter dated September 5, 2001 of the Commission. The receipt of the aforesaid Micro-Films/Micro-Fiches/Authenticated xerox copies are still awaited.

11. The Ministry of External Affairs, Government of India, has been requested by Commission's letter No. JMCI/Overseas/2000-01/70/283 dated September 3, 2001 to take up with the Embassy of India in Tokyo so that lists of witnesses sent by them to the Commission with their No. 25/4/NGO-Vol.VI dated March 27, 2001 are verified in view of the anomalies pointed out in the Commission's said letter dated September 3, 2001 and a corrected and up-to-date list of witnesses along with their respective present correct addresses sent to the Commission as early as possible to enable it to draw up a programme or examination of the witnesses in Japan during the proposed

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contd) visit of the Commission to Japan. The Ministry of External Affairs, Government of India have informed that they have taken up the matter with the Indian Embassy in Tokyo.

12. (a) D.O. No. 25/4/NGO-Vol.VI dated September 26, 2001 has been received from the Hon'ble Minister of External Affairs, Government of India, in reply to the Hon'ble Chairman's d.o. No. JMCI/Doc(For)/99-2000/56(Vol.II)/267 dated August 21, 2001 regarding inspection of documents relating to Netaji Subhas Chandra Bose stated to be lying in different foreign countries. In this communication the Hon'ble Minister has stated that the points raised in the Hon'ble Chairman's letter have been taken up with the diplomatic mission of India in the countries concerned and that they (Ministry of External Affairs) would keep the Commission informed about the outcome of their efforts in this regard.

(b) Ministry of External Affairs, Government of India, with their d.o. letter No. 25/4/NGO-Vol.VI dated October 1, 2001 has sent to the Commission some xerox copies written in Russian along with their English translation which have been sent to them by the Russian Foreign Office through the Indian Mission in Moscow stating those to be "all available documents received from different Archives in the Russian Federation". The said d.o. letter and its enclosures have been received by the Commission on October 8, 2001 and will be scrutinized in due course.

13. The Ministry of External Affairs, Government of India was requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/106 dated May 28, 2001 to send a true copy of the report of the Government of India in the Foreign Ministry allegedly submitted before the Khosla Commission and marked as Exhibit 29-I which is allegedly concerning another alleged report dated 17.10.1945 of the Director of the British Military Intelligence Department on a Secret Japanese message allegedly intercepted by the Chinese advising Netaji Subhas Chandra Bose to be separated from his fellow travellers at the time of his journey from Burma in an aircraft. The Ministry of External Affairs in their d.o. No. 25/4/NGO-POL.VI dated September 6, 2001 intimated that they were making every effort to trace the same and will revert to the Commission shortly in this matter. Further development is still awaited.

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SECRET

MOST IMMEDIATE

MINISTRY OF HOME AFFAIRS
IS DIVISION (US D.IV)

* * *

Intelligence Bureau may please refer to their U.O. No. IV/8(66)/2001-1258 dated 26.07.2001 regarding availability or non-availability of records pertaining to the disappearance of Netaji Subhas Chandra Bose.

2. As desired, a copy of the letter written by this Ministry forwarding the documents authenticated by IB to the Justice Mukherjee Commission of Inquiry is enclosed. It is requested that the required affidavit may please be filed before the Commission at the earliest and this Ministry informed of the position.

[Handwritten signature]

(V.P. BHATIA)
UNDER SECRETARY TO THE GOVT. OF INDIA.

Intelligence Bureau (Shri P.P. Nautiyal, Additional Deputy Director), New Delhi.

MHA I.D.Note No. I-12014/13/2000-IS(D.III) dated 9.08.2001.

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MOST IMMEDIATE

MINISTRY OF HOME AFFAIRS
IS DIVISION (US D.IV)

* * * *

Subject : Files/Records/Documents mentioned in paras
(a)(i) and (a)(iii) of the proceedings
dated March 23, 2000 of Justice Mukherjee
Commission of Inquiry.

* * * *

Enclosed please find a copy of letter No. JMCI/
Meeting-Proceeding(Follow-up)/48(Vol.II)/274 dated August 23,
2001 on the subject noted above as also a copy of the
proceedings dated March 23, 2000 of the Commission.

2. It is requested that the files/records/documents
mentioned in paras (a)(i) and (a)(iii) of the said proceedings
may please be examined and the files/records etc. which
pertain to Intelligence Bureau may please be identified and
the Commission advised accordingly under intimation to this
Ministry. It is further requested that this exercise may be
completed expeditiously to enable the Commission to take
further action in the matter.

(V.P. BHATIA)

UNDER SECRETARY TO THE GOVT. OF INDIA.

Intelligence Bureau (Shri Sanjay Sinha, Deputy Director), New
Delhi.

MHA I.D.Note No. I/12014/6/2001-IS(D.III) dated 5.11.2001.

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Ministry of Home Affairs

IS Division (US D.IV)

Intelligence Bureau may please refer to this Ministry's I.D.Note No. I/12014/13/2001-IS (D.III) dated 09.08.2001 regarding availability of records pertaining to the disappearance of Netaji Subhash Chandra Bose conveying decision of Justice Mukherjee Commission of Inquiry therein that an affidavit may be filed by the Intelligence Bureau before the Commission and this Ministry informed of the compliance. However, nothing has been heard so far regarding filing of the affidavit. It is, therefore, requested that the position in this regard may please be intimated to this Ministry expeditiously.

2. Vide this Ministry's letter No. I/12014/10/2001-IS (D.III) dated 04.07.2001, letter No. JMCI/Affidavit-Averments (follow-up)/2000-2001/67/132 dated 13.05.2001, a petition dated 25.05.2001 with enclosures thereto from Shri Nandlal Chakraborty, Petitioner was sent to Intelligence Bureau. It was requested that the list of documents mentioned by the Petitioner may be gone through and if any documents are available an affidavit may be filed before the Commission directly by Intelligence Bureau. Accordingly the position in this regard may be communicated to this Ministry expeditiously.

3. With this Ministry's I.D.Note No. I/12014/6/2001-IS (D.III) dated 05.11.2001, a letter from Justice Mukherjee Commission of Inquiry No. JMCI/Meeting-Proceedings (follow-up)/48 (Vol.II)/274 dated 23.08.2001 along with a copy of the proceedings dated 23.03.2001 was sent with the request that the files/records/documents mentioned in paras (a) (i) and (a) (iii) of the said proceedings may be examined and the files/records etc. which pertain to Intelligence Bureau may be identified and the Commission be informed accordingly under intimation to this Ministry. However, nothing has been heard from Intelligence Bureau in the matter.

4. The Commission has been raising the pending issues repeatedly in its communications. It is requested that the requisite information mentioned in the preceding paragraphs may be provided to this Ministry expeditiously latest by 05.12.2001. This Ministry is also required to file an affidavit before the next hearing of the Commission at New Delhi on 19.12.2001, in terms of action taken on various issues, for which the input from Intelligence Bureau is essential.

Sangita Gairola

(SANGITA GAIROLA)
JOINT SECRETARY (IS-I)

At once
Please inform
lm
4/12

Intelligence Bureau
Shri K.P.Singh, Director
New Delhi

MHA U.O.No. I/12014/13/2001-IS (D.III) Dated 03.12.2001

Fax :
0091-033-252-2765

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JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman -- 252-2835
Secretary -- 252-2767
Officer on
Special Duty -- 252-2765
Office -- 252-2766/68

e-mail :
jmcinscb@cal.3.vsnl.net.in

No. JMCI/Meeting-Proceedings(Follow-up)/48(Vol.II)/274

Kolkata, dated, August 23, 2001

By Registered Post with A/D

From : Shri P.K. Sengupta,
Secretary.


ISD
To
The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi 110 001.



Sir,

I am directed to refer to serial 3 of your Status Report sent to the Commission with the letter No. I-12014/6/2001-IS(D.III) dated July 17, 2001 of the Deputy Secretary (IS-I) of your Ministry and to request you to furnish to the Commission within six weeks from the date of receipt of this letter which of the files/records/documents mentioned in paras (a)(i) and (a)(iii) of the proceedings dated March 23, 2001 of the Commission pertain to Prime Minister's office, which of them pertain to the Ministry of Defence, and which of them pertain to the Ministry of External Affairs, Government of India, to enable the Commission to take further action in the matter.

Yours faithfully,


(P.K. Sengupta)
Secretary

Pl. submit to
R. Bhatnagar
Sanyal
31/8
To M

SE-5

REGISTERED WITH A/D.

भारत सरकार सेवार्थ

ON INDIA GOVERNMENT SERVICE

No. JMCI/Meeting-Proceedings (Follow-up)/48 (Vol. II) 274.

Dated 23.8.2001.



Justice Mukherjee Commission of
Inquiry for Inquiry into the
alleged disappearance of
Late Subhas Chandra Bose
A, Mirza Ghalib Street, 3rd Floor,
Block 'B', Calcutta- 700087

4526
23-8-01

To
The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi- 110 001.



197
REGISTERED WITH A.D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

2616/15 US D-IV/10
24/8

No. JMCI/Meeting-Proceedings(Follow Up)/ Calcutta, dated, the 20th August, 2001.
48(Vol. III)/262.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

S i r,

I am directed to refer to para 7 of the affidavit dated February 27, 2001 of Ms. Sangita Gairola, Joint Secretary, Ministry of Home Affairs, Government of India, and to point out that neither the original record of the day to day proceedings of Justice Khosla Commission of Inquiry nor any authenticated copy thereof has yet been received by this Commission.

I am, therefore, directed to request you to ensure more vigorous efforts to locate all the remaining records pertaining to the Justice Khosla Commission of Inquiry including the documents presented before the said Commission, the documents not received by it inspite of its requisition and the documents which were made exhibits before it and make all of them available to this Commission as quickly as possible as those records/documents are essentially required by this Commission for the purpose of its inquiry.

Yours faithfully,

(P. K. Sengupta)
Secretary

120
JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

REGISTERED WITH A.D.

No. JMCI/Meeting-Proceedings (Follow Up)/ Calcutta, dated, the 20th August, 2001.
48 (Vol. III)/263.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

S i r,

I am directed to refer to the affidavit dated February 27, 2001 of Ms. Sangita Gairola, Joint Secretary, Ministry of Home Affairs, Government of India, and to request you to send to this Commission within eight weeks from the date of receipt of this letter the following files which are reported in the aforesaid affidavit to have been subsequently located :

- i) F.No.I/12014/9/77-D.III relating to 'No day yet named motion' regarding report No.74 of the Commission of Inquiry into the disappearance of Netaji Subhas Chandra Bose.
- ii) F.No.I/12014/6/90-IS D.III-dispute regarding ashes of Netaji Subhas Chandra Bose - bring these ashes to India - controversy whether Netaji still alive; and
- iii) F.No.31/2/74-Poll (D.III)- Netaji Inquiry Commission - follow up action.

Yours faithfully,



(P. K. Sengupta)
Secretary

No. JMCI/Meeting-Proceedings(Follow Up)/48(Vol.III)/262. &
Dated 20.8.2001.

JMCI/Meeting-Proceedings(Follow Up)/48(Vol.III)/263.

SE-5 Dated 20.8.2001.

भारत सरकार सेवार्थ

ON INDIA GOVERNMENT SERVICE

REGISTERED WITH A/D.



Justice Muktojee Commission of
Inquiry for inquiry into the
alleged disappearance of
Netaji Subhas Chandra Bose
11A, Mirza Ghalib Street, 3rd Floor
Block D, Calcut - 700037

3862
21-8-01

To
The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.



Registered with A/D.

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JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

No. JMCI/Records/N.Delhi/99-2000/37/307. Calcutta, dated, the 18th Sept. 2001.

2957/01/1505 CDIV
2615

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.



S i r,

I am directed to refer to Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/177 dated 29.06.2001 sent by Registered Post from this end and received at your office on July 6, 2001 and to request you to ensure production before the Commission of duly attested/ authenticated xerox copies of all those "further contemporary official documentary records" which, as stated by Late Morarji Desai, the then Prime Minister of India, on August 28, 1978 on the floor of the Parliament, had ' become available ' to the Government of India, since those are urgently required to be perused by the Commission for the purposes of its inquiry.

This may please be treated as extremely urgent.

Yours faithfully,

(P. K. Sengupta)
Secretary

REGISTERED WITH A/D.

SE-5

भारत सरकार सेवार्थ
ON INDIA GOVERNMENT SERVICE

No. JMC I/Records/N. Delhi/99-2000/37/307.
Dated 18.9.2001.

RL No - 2070 AD
21/9



Justice Mukherjee Commission of
Inquiry for Inquiry into the
alleged disappearance of
Netaji Subhas Chandra Bose
11A, Mirza Ghalib Street, 3rd Floor
Block 'B', Calcutta— 700087

To
The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.



JUSTICE MUKHERJEE COMMISSION OF INQUIRY

FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF

NETAJI SUBHAS CHANDRA BOSE.

'B' Block, (Third Floor)

11/A Mirza Ghalib Street, Kolkata 700 087

FAX : 033 252-2765

Phone:

Chairman -- 252-2835

Secretary -- 252-2767

Officer on

Special Duty -- 252-2765

Office -- 252-2766/68

e-mail jmcinscb@cal3.vsnl.net.in

No. JMCI/Records/N.Delhi/99-2000/37(Vol.II)/318(2)

Dated Calcutta, September 20, 2001

REGISTERED WITH A/D.

BY REGISTERED POST WITH A/D

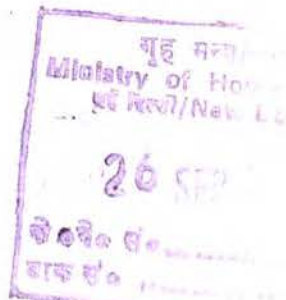
From : Shri M. Roy

Officer on Special Duty.

To

The Secretary
Prime Minister's Office
Government of India
South Block
New Delhi 110 001

✓ The Secretary
Ministry of Home Affairs
Government of India
North Block
New Delhi 110 001



Sir,

It appears from some papers filed before this Commission that an affidavit was filed before Justice Khosla Commission on behalf of the Government of India wherein it was averred, inter alia, that more than 34 'confidential files' relating to 'Netaji Mystery' were found either "destroyed or missing".

Since the complete records of the proceedings of the Justice Khosla Commission have not yet been received by this Commission though repeatedly asked for by it, it has not been possible for the Commission to verify whether such an affidavit was filed.

In that context I have been directed to ask you to confirm whether such affidavit was filed by the Government of India and if so, to furnish a copy of the same with a detailed explanatory note on the contents of each of the said 34 confidential files allegedly destroyed or missing.

Yours faithfully,

(M. Roy)

Officer on Special Duty.

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JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

REGISTERED WITH A/D.

No. JMCI/Affidavit-Averments (Follow Up)/ Calcutta, dated, the 20th Sept. 2001.
2000-2001/67/320.

From : Shri M. Roy, I.A.S. (Retd.),
Officer on Special Duty

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi 110001.

S i r,

I am directed to state that the report and the affidavit as called for in Commission's letter No. JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/228 dated August 1, 2001 has not yet been received. I am, therefore, directed to request you to take necessary action to send the said report and the affidavit as quickly as possible.

I am further directed to request you to kindly indicate the name of the authority concerned of the Government of India against each of the documents mentioned and relied upon by the deponents as referred to in Commission's letter No. JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/132 dated May 30, 2001 since those particulars are essentially required by the Commission to pursue effectively with the authorities ^{concerned} of the Government of India for production before the Commission their respective documents.

Yours faithfully,



(M. Roy)

Officer on Special Duty

No. JMCI/Affidavit-Averments (P.O.)
2000-2001/67/320. Dated 20.9.2001.

Page I/Records W. Delhi 199-2000/37 Crd.

REGISTERED WITH A/D.

R2 NO- $\frac{2125}{219}$

To
The Secy
Ministry
Governme
North Bl
New Delh

Mukherjee Commission of
for Inquiry into the
disappearance of
Subhas Chandra Bose
Mirza Galib Street, 3rd Floor
'B', Calcutta— 700087

12/R

124

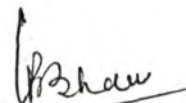
Most Immediate

**Government of India
Ministry of Home Affairs
IS-I Division (US D.IV)**

→ S.No. 4(R)

Prime Minister's Office may please refer to their UO Note No.915/11/C/2/2000-Pol dated July 9, 2001, enclosing therewith a copy of letter dated 29.6.2001 received from Justice Mukherjee Commission of Inquiry along with a xerox copy of pages 455 and 456 of Parliamentary Proceeding dated 28.8.1978 requesting therein to locate the documents based on which the Prime Minister had made the statement in the Parliament on 28.8.1978.

2. Efforts have been made to locate the relevant documents. However, no such documents have been located so far despite searching files pertaining to the years 1977 & 1978. PMO are, therefore, requested to make efforts to trace the documents at their end.



(V.P. BHATIA)

**Under Secretary to the Govt. of India
Tele No.301 5700**

Prime Minister's Office (Shri Jarnail Singh, Joint Secretary), South Block, New Delhi.
MHA UO No.I/12014/11/2001-IS (D.III) Dated, the 10th Oct., 2001.

186
MOST IMMEDIATE REGD

Tele:6102067

MINISTRY OF DEFENCE
History Division
West Block-8
R.K. Puram.
New Delhi-110011

No.2191/NIC/H/99

29 Oct 2001

Shri V.P. Bhatia
Under Secretary
Ministry of Home Affairs
IS-1 Division, North Block
New Delhi-110001

Subject:Files Documents mentioned in para a (i) and a (iii) of the
Proceedings dated March 23, 2000 of Justice Mukherjee
Commission of Inquiry

Sir.

p. 125/cw

Reference MHA (IS I Division) OM No.I120146/2001 IS (D III)
dated 25th October, 2001 on the above subject.

2. In this regard an affidavit has already been filed by Joint Secretary (Trg) & CAO stating that all the INA records/documents were transferred to the National Archives of India and that there are no other documents/records available in the Ministry of Defence. (A copy of affidavit is enclosed).

G.B. Singh
(G.B. Singh)
Director

Encl: As above.



AFFIDAVIT

Before Justice Mukherjee Commission of Inquiry -

To enquire into the alleged disappearance of Netaji Subhas Chandra Bose - calling for the production before the Commission of documents/files/records relating to Netaji Subhas Chandra Bose and Indian National Army.

AFFIDAVIT ON BEHALF OF THE GOVT. OF INDIA IN THE MINISTRY OF DEFENCE

I, Falguni Rajkumar, Joint Secretary (Trg) & CAO, Ministry of Defence, New Delhi, do hereby solemnly affirm and declare as follows:-

1. That the present affidavit is being filed in pursuance of the JMCI letter No. JMCI/Records/N.Delhi/99-2000/37/246, dated 11-9-2000 from the Secretary, JMCI, Calcutta, and that the parawise reply is stated as hereunder:

(a) & (b). That 990 classified files/documents relating to INA and Netaji Subhas Chandra Bose were held in the History Division, Ministry of Defence and that all these 990 files/documents have since been declassified.

(c) & (f). That as per the list of INA records provided to Hon'ble Commission, vide D.O. No.2191/NIC/H/99, dated 16 February 2000, all the above stated declassified files/documents were transferred to National Archives of India, New Delhi on 26 August 1997, except nine documents/artifacts listed at S.Nos. 23,162,215,221,222,361,369,422 and 438 which had been transferred in 1995 to the Archaeological Survey of India, Ministry of H.R.D., Govt. of India, vide letter No. 2191/H, dated 05-09-95 for the purpose of display in the Freedom Fighters' Memorial Museum, Red Fort, Delhi, and that all these nine documents/artifacts are since then lying in the custody of Archaeological Survey of India. The documents mentioned at Sl No.881 in the same list of INA records is the draft history (Manuscript) belonging to the History Division, Ministry of Defence and prepared on the basis of INA records then available in this Division, and that a

M. Kumar



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photo copy of this draft history (Manuscript) can be placed before the Hon'ble Commission as and when it may deem fit and proper.

2. That the contention mentioned in the extract of 42(b), referred to in the above cited JMCI letter is not correct and is denied. There were only 990 files/documents pertaining to INA and Netaji available in the History Division, Ministry of Defence and not 9900 files as stated in the extract.
3. That there are no other documents/records available in the Ministry of Defence.

[Signature]
Deponent

VERIFICATION

I, the said Falguni Rajkumar, Joint Secretary (Trg) & CAO, Ministry of Defence, do hereby solemnly affirm and state that what is mentioned above is stated on the basis of information derived from the records relating to this matter and on the basis of information received from the concerned authorities.

[Signature]
Deponent

Solemnly affirmed at New Delhi
This the 01 February 2001



ATTESTED

NOTARY DELHI

1 FEB 2001

No. I/12014/10/2001- IS (D.III)
GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

New Delhi, the 4th July 2001

To,

(1) Shri Jayant Prasad,
Joint Secretary (AMS & CNV),
Ministry of External Affairs,
South Block,
New Delhi.

(2) Shri G.B.Singh,
Director (History Division),
Ministry of Defence,
3/West Block- 8, Wing I,
R.K.Puram,
New Delhi.

(3) Shri Sanjay Sinha,
Deputy Director,
Intelligence Bureau,
New Delhi.

(4) Smt. Krishna Dey,
Asstt. Director of Archives,
National Archives of India,
Janpath,
New Delhi- 110001.

(5) Smt. Archana Ranjan,
Director,
Prime Minister's Office
South Block,
New Delhi.

Subject: Filling of original or authenticated copies of the documents
relied upon by the deponents.

Sir/Madam,

I am directed to send herewith letter No. JMC/Affidavit-Averments
(Follow Up)/2000-2001/67/132 dated 30th May, 2001 from Justice Mukherjee
Commission of Inquiry and a Petition dated May 25, 2001 with enclosures
thereto wherein Shri Nandlal Chakrabarti, Petitioner is mentioned various
documents on the subject noted above and to request that the list of documents
may be gone through and if necessary, submit an affidavit before the
Commission directly.

2. Kindly acknowledge receipt of this letter.

Yours faithfully

(V.P.BHATIA)

UNDER SECRETARY TO THE GOVT. OF INDIA.

At once
Please inform
5/7
LS/KR/1

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JEE COMMISSION OF INQUIRY
RE ALLEGED DISAPPEARANCE OF
HAS CHANDRA BOSE.
ck, (Third Floor)

11/A Mirza Ghalib Street, Calcutta 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2761
Officer on
Special Duty - 252-2165
Office - 252-2763/68

No. JMCI/Affidavit-Averments (Follow Up)/ Calcutta, dated, the 30th May, 2001.
2000-2001/67/132.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi- 110001.

Sub : Filing of original or authenticated
copies of the documents relied upon
by the deponents.

S i r,

I am directed to refer to the Commission's letter
No. JMCI/Affidavit-Averments (Follow Up)/67/263 dated September
20, 2000 wherewith xerox copies of some affidavits/supplementary
affidavits of some deponents including the affidavit dated
February 17, 2000 and two supplementary affidavits dated July
28, 2000 and August 25, 2000 filed on behalf of Shri Jyotish
Chandra Bose and eight others were sent to you to enable the
Ministry of Home Affairs and the other concerned Ministries/
Departments of the Government of India to file their respective
counter-affidavits, if any, duly sworn in by their competent
Officers, not below the rank of Joint Secretary to the
Government of India responding to the allegations/contentions/
averments concerning them in the said affidavits.

I am directed to state that till now no reply or
counter-affidavit has been received in this matter from any
of the Ministries/Departments of the Government of India and
that Shri Nandalal Chakravarty, one of the co-deponents of the
aforesaid affidavits/supplementary affidavits, has filed a
petition dated May 25, 2001 with an enclosure thereto wherein
he has mentioned various documents referred to in their
aforesaid affidavits/supplementary affidavits and urged upon

contd...P.2.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700 087

Phone:

Chairman - 216 210
Secretary - 216 210
Officer on
Special Duty - 216 210
Office - 216 210

No. JMC/

Calcutta, dated, the

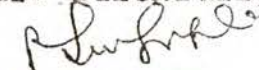
- : 2 : -

the Commission to take immediate steps for production of those documents by the appropriate authorities as the said documents, as claimed by the said deponents, have significant bearing on the issues under consideration of the Commission.

I am, therefore, directed to request you to arrange to furnish the original or authenticated copies of the documents mentioned in the said petition and its enclosure filed by Shri Nandalal Chakravarty, xerox copies of which are enclosed.

Enclosures: As stated above.

Yours faithfully,


(P.K. Sengupta)
Secretary

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BEFORE THE JUSTICE MUKHERJEE COMMISSION OF INQUIRY

IN THE MATTER OF :

Notification No. S.O.339-(E) published
in the Gazette of India, Extra Ordinary
dated 14.5.1999;

AND

IN THE MATTER OF :

Notification No. Notfn/010/99/JMCI
dated 3rd December, 1999;

AND

IN THE MATTER OF :

Shri Jyotish Chandra Bose, resident of
6A, Bepin Pal Road, Calcutta - 700 026
and OTHERS.

The humble submission of the Petitioners is as under :

We have submitted to the Hon'ble Commission a list of documents referred to in our original Petition and supplementary affidavits. To facilitate the Hon'ble Commission's work, further, in this regard, certain important documents, culled from the list already submitted, are mentioned below. We hereby, urge upon the Commission to take immediate steps for production of them by the appropriate authority as they have significant bearing on the issue under consideration of the Commission.

As a reminder to the Hon'ble Commission about the documents mentioned in our list already submitted. A copy of the said list is annexed as ANNEXURE - '01'.

1. The 'Contemporary official documentary records' on the basis of which Prime Minister Morarji Desai refused to accept the reports of Shahnawaz Committee and Khosla Commission as conclusive in 1978 on the floor of the Parliament. Sri Desai's statement was reiterated by Sri Dhaniklal Mondal as the official stand of the Government on the floor of the Parliament on April 11 1979.

(Ref : Page - 83, Subpara - IX of the original Affidavit)

2. The secret report of the then Indian Ambassador to Soviet Union K.P.S. Menon's interview with Stalin which dwelled on Netaji's existence in Soviet Russia in February 1953. It was referred to in the Life Magazine dated the 27th February 1953. A xerox copy of the relevant page of the said magazine has been annexed to our original Petition as annexure 'D' (page-211)

3. Mountbatten's Diary (No.172 IN PRD) File NO. 4/23/71-N.C. of (1970) (Inquiry Commission) (Subject : 'Death of Chandra Bose' - Summary of records in the Mountbatten's Diaries).

(Ref : Page 40-42 : Annexure 'Y' of the Supplementary Affidavit - 1).

4. R.C. Iyer's Affidavit dated June, 6, 1972 (Subject : Availability of General Mcarther's papers in the USA) referred to in the Affidavit of

Shri Asok Gupta, Under Secretary to the Government of India, Ministry of Home Affairs, submitted to the Netaji Inquiry Commission (1970) on 13th September, 1970.

(Ref : Page 60-63 : Annexure - 'D1' Colly of the Supplementary Affidavit 1).

5. Entire Report of SACSEA Commission 1, relating to Subhas Chandra Bose and I.N.A.
(Ref : Page 128, Sub para - IX of the original Affidavit).

6. Entire Allied Secret Report, Subject : Subhas Chandra Bose. (Ref: Page 128, Sub para-IX of the original Affidavit).

7. Entire Report of SEATIC SECTION INTELLIGENCE ASSAULT UNIT. 7TH IND DIV ALF SIAM with all the SEATIC documents 128.
(A portion of the said report was submitted to both Netaji Inquiry Committee and Netaji Inquiry Commission).
(Ref : Page - 128, sub para XII of the original Affidavit).

8. Entire Report of C.I.C. (Combined Intelligence Corp). (Ref : Page - 161, Annexure - 'B' of the original Affidavit).

9. The entire report of S.A. Iyer placed before Netaji Inquiry Commission by the Government of India. As referred to in this report, Col. Tada told

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- 4 -

Mr. Iyer : "After the end of the war when Japan surrendered, Terrauchi took all responsibilities to help Netaji to reach Russian territory "

(Netaji Inquiry Commission Proceedings)

(Ref: Page 112, sub para - V of the original Affidavit).

10. The urgent message of Mr. Finney, the Deputy Director of Intelligence Bureau of the British Government attached to Mc.Arthur's Head Quarter at Tokyo, sent to his higher authority in India.

(Netaji Inquiry Commission 1970, Exhibit No. COM 28/V)

(Ref : Page 112 - 113, Sub para VI of the original affidavit).

11. The report of British Intelligence team's interrogation of General Bhonsle.

(Report of Lt.Col. MCKWRIGHT, Exhibit No : COM/28/V)

(Ref ; Page 113, Sub para - VII of the original Affidavit)

Dated at Calcutta
the 25th May 2001.

Nandalal Chakrabarti
J.M.C.I - II C.
(Nandalal Chakrabarti)

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ANNEXURE - 01

1

IMPORTANT POINTS/DOCUMENTS/RECORDS REFERRED ^{TO} IN PETITION NO - JMCI/11

'A'

" THE ALLEGED PLANE CRASH AND ^{THE} SOCALLED DEATH NEWS"

REFERENCE	PAGE
1. <u>DOMEI NEWS AGENCY'S ANNOUNCEMENT</u> "MR. BOSE LEFT SINGAPORE ON AUGUST 16, BY AIR FOR TOKYO HE WAS SERIOUSLY INJURED WHEN HIS PLANE CRASHED AT TAIHOKU AIRFIELD AT 2 PM ON AUGUST 18. HE WAS GIVEN TREATMENT IN HOSPITAL IN JAPAN WHERE HE DIED AT MIDNIGHT.	56 sub para I
2. AT PAGE 100 IN HIS BOOK "UNTO HIM A WITNESS", S.A. AYER SAID 'THEN THEY (JAPANESE) WANTED ME TO DRAFT THE ANNOUNCEMENT. I DICTATED A DRAFT, FRANKLY SPEAKING, I WAS NOT INCLINED TO BELIEVE THEIR STORY.....'	58 - 59 PARA-51
3. CAPTAIN BIREN CHAKRABORTY'S (C.S.D.I.C) EVIDENCE BEFORE NETAJI INQUIRY COMMISSION (1970). "AFTER ANALYSING ALL THE REPORTS THERE WERE IN HAND AT THE TIME IN THE C.S.D.I.C., IT WAS OBVIOUS THAT COLONEL HABIB-UR-RAHAMAN TOLD LIES OR THE JAPANESE GOVERNMENT CONCEALED FACTS."	62 - 66 PARA-59 AT PAGE 63
4. A CHART CONTAINING CONTRADICTIONARY STATEMENTS OF HABIB-UR-RAHAMAN	161 - 164 ANNEXURE-B

REFERENCE	PAGE
5. DR.YUSHIMI'S CONTRADICTIONARY STATEMENTS BEFORE ALLIED INTELLIGENCE ON 19.10.46,BEFORE NETAJI INQUIRY COMMITTEE (1956) FROM 21.5.56 to 23.5.56 AND BEFORE NETAJI INQUIRY COMMISSION (1970) ON 24.4.71	165 - 166 ANNEXURE - C
6. THE THEN VICEROY OF INDIA, LORD WAVELL'S REMARK. "I WONDER IF THE JAPANESE ANNOUNCEMENT OF SUBHAS CHANDRA BOSE'S DEATH IN AN AIRCRASH IS TRUE. I SUSPECT IT VERY MUCH, IT IS JUST WHAT WOULD BE GIVEN OUT IF HE MEANT TO GO UNDERGROUND"	78 PARA - 69
7. EXTRACT FROM ALLIED LAND FORCES SOUTH EAST ASIA WEEKLY INTELLIGENCE REVIEW NO 57 FOR WEEK ENDING 2ND NOVEMBER.	79 - 80 SUBPARA (iii)
8. PROCEEDINGS OF A.I.C.C. MEETING ON 21ST SEPTEMBER, 1945	80 SUBPARA (V)
9. CONDOLENCE MOTION OF THE CALCUTTA CORPORATION ON 28TH AUGUST,1945	80 - 81 SUB PARA (VI)
10. REPLY OF LORD MOUNTBATTEN ON 10TH MARCH, 1978 TO ^{THE} LETTER OF SHRI N.G.GOREY, THE INDIAN HIGH COMMISSIONER IN LONDON, DATED 27TH FEB, 1978. "THERE WAS NO OFFICIAL RECORD OF SHRI SUBHAS CHANDRA BOSE'S DEATH IN HIS ARCHIVES."	82 - 83 SUB PARA (VIII)

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<p>11. REPLY OF A.E. PORTER ON BEHALF OF GOVERNMENT OF INDIA TO A QUESTION OF YUVRAJ DUTTA SINGH REGARDING WHEREABOUTS OF NETAJI ON 6.11.46.</p> <p>" GOVERNMENT ARE NOT IN A POSITION TO MAKE AN AUTHORITATIVE STATEMENT ON THE QUESTION".</p>	<p>176 - 177 ANNEXURE - F</p>
<p>12. A CREMATION CERTIFICATE IN THE NAME OF ICHIRO-OKURA WAS PRODUCED.</p>	<p>78 PARA - 67</p>
<p>13. DOCUMENTS REFERRED TO IN THE TRANSFER OF POWER (VOLUME - VI)</p> <p>DOCUMENTS OF TRANSFER OF POWER (VOLUME-VI) CLEARLY PROVES THAT THE BRITISH GOVT. DID NOT ACCEPT NETAJI'S ALLEGED DEATH IN AN ALLEGED AIRCRASH ON 18TH AUGUST 1945. BRITISH INDIA GOVERNMENT ALSO FACED A SERIOUS DILEMMA^{MM} REGARDING THE COURSE OF THEIR "TREATMENT OF BOSE".</p>	<p>90 - 96 PARA - 80</p>
<p>14. THE THEN PRIME MINISTER OF INDIA SHRI MORARJI DESAI'S STATEMENT ON THE FLOOR OF LOKSABHA ON 28th AUGUST, 1978.</p>	<p>83 SUB PARA (IX)</p>
<p>15. DEATH OF CHANDRA BOSE - SUMMARY OF RECORDS IN THE MOUNTBATTEN DIARIES (NO.172 IN PRD) RELATING TO THIS EVENT. FILE NO. 4/23/71-N.C. OF (1970) (inquiry commission)</p>	<p>SUPPLIMENTARY AFFIDAVIT - ONE 40 - 42 ANNEXURE - 'Y'</p>

REFERENCE	PAGE
16. AFFIDAVIT OF SHRI ASOK GUPTA, UNDER SECRETARY TO THE GOVERNMENT OF INDIA, MINISTRY OF HOME AFFAIRS, NEW DELHI, BEFORE THE NETAJI INQUIRY COMMISSION (1970) ON 13TH SEPTEMBER, 1970 "IN SHRI R.C.IYER AFFIDAVIT DATED THE 6TH JUNE, 1972, ... THE POSITION REGARDING AVAILABILITY OF GENERAL MAC-ARTHUR'S PAPERS IN THE U.S.A. HAS BEEN STATED.	SUPPLIMENTARY AFFIDAVIT-ONE ANNEXURE - D1COLY 60-63 AT PAGE 61-62 SUB PARA - IX
17. RE-APPRIASAL OF NEHRU, A PRELIMINARY STUDY - AN ARTICLE PUBLISHED IN INDIA POST. (U.S.A.) DATED SEPTEMBER 8, 1995. "THIS BRINGS US BACK TO THE SUBJECT OF THE NETAJI PAPERS WHICH ARE STILL LANGUISHING IN 'MOHAMMED YUNUS'S HOUSE...." (LAST PARA)	SUPPLIMENTARY AFFIDAVIT-ONE ANNEXURE - E1 68
18. WHAT REALLY HAPPENED ? - ANINDYA SENGUPTA'S REPORT.	ANNEXURE - K1 85-87 of SUPPLIMENTARY AFFIDAVIT-ONE
19. REPORT OF HEAD QUARTER 'SACSEA COMMISSION NO 1, SAIGON, 18th OCTOBER, 1945.	128 (MENTIONED) SUB PARA - (IX)
20. ENTIRE REPORT OF SACSEA COMMISSION 1, RELATING TO SUBHAS CHANDRA BOSE AND I.N.A.	MENTIONED IN PAGE 128 SUB PARA (X)
21. ENTIRE ALLIED SECRET REPORT, SUB SUBHAS CHANDRA BOSE	MENTIONED IN PAGE 128 SUB PARA - (XI)
22. ENTIRE REPORT OF SEATIC SECTION INTELLIGENCE ASSAULT UNIT, 7TH IND DIV ALF SIAM WITH ALL THE SEATIC DOCUMENT 128.	MENTIONED IN PAGE 128 SUB PARA - (XII)

' A '

REFERENCE	PAGE
23. ENTIRE REPORT OF C.I.C. (COMBINED INTELLIGENCE CORE)	MENTIONED IN PAGE-161 ANNEXURE-B OF THE ORIGINAL PETITION.
24. HIKARI KIKAN SIGNAL NO - 2. "...HIS BODY HAS BEEN FLOWN TO TOKYO BY THE FORMOSAN ARMY. I HAVE THANKED THE FORMOSAN ARMY FOR THEIR KINDNESS.	108 - 109 PARA - 97

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REFERENCE	PAGE
1. NETAJI'S LETTER TO SOVIET AMBASSADOR, TOKYO, MR. JACOB MALIK.	179-181 ANNEXURE-H
2. SOVIET RUSSIA GAVE RECOGNITION TO PROVISIONAL GOVT. OF AZAD HIND (ARCHIVAL FILE NO-265/INA)	104 SUB PARA - C
3. BRITISH MILITARY INTELLIGENCE REPORT. I11) "...AT THE TIME ... THIS FACT MAY BE SIGNIFICANT THAT THERE WAS ANY PLAN ON THE PART OF THE HIKARI KIKAN TO ALLOW BOSE TO ESCAPE AND TO PUBLISH FALSE STORY REGARDING HIS DEATH" 273/I.N.A. PAGE 13-15	106-108 PARA-96 AT PAGE 106- 107 SUB PARA C
(1) "...IN DECEMBER, 1944..... S.C. BOSE HAS LEFT FOR MOSCOW AND WAS SOON EXPECTED BACK IN TOKYO." (SECRET FILE NO 249/INA-11(H), PAGE, 113, 21)	106 PARA - 96 SUB PARA--(a)

V. K. S. L.

REFERENCE	PAGE
4. STATEMENT OF JAPANESE WITNESSES ABOUT THE PLAN OF NETAJI.....BEFORE NETAJI INQUIRY COMMITTEE (1956) AND NETAJI INQUIRY COMMISSION 1970.	110-114 PARA-99
1) GENERAL ISODA (CHIEF OF HIKARI KIKAN) SAID "IT WAS HIKARI KIKAN'S PLAN TO ALLOW BOSE TO ESCAPE AND TO PUBLISH A FALSE STORY REGARDING HIS DEATH. (PROCEEDINGS OF NETAJI INQUIRY COMMISSION 1970, PAGE 3016)	AT PAGE 110 & 111 SUB PARA - I
11) HACHIYA (JAPANESE AMBASSADOR TO AZAD HIND GOVERNMENT) SAID THAT HE "INFORMED NETAJI THAT THE GOVERNMENT OF JAPAN WAS WILLING TO MAKE ARRANGEMENTS FOR SHIFTING HIM TO SOME SAFE AREA.	AT PAGE - 111 SUB PARA-(iii)
111) COL TADA, ONE OF THE STAFF OFFICERS OF F.M.TERRAUCHI, (SUPREME COMMANDER, Japanese SOUTH EAST ASIA COMMAND) TOLD "AFTER THE END OF THE WAR WHEN JAPAN SURRENDERED, TERAUCHI TOOK ALL RESPONSIBILITIES TO HELP NETAJI... TO REACH RUSSIAN TERRITORY" (PROCEEDINGS OF NETAJI INQUIRY COMMISSION 1970)	AT PAGE-112 SUB PARA (V)
(iv) MR. FINNEY, THE DEPUTY DIRECTOR OF INTELLI- GENCE BUREAU OF THE BRITISH GOVERNMENT ATTACHED TO MAC-ARTHUR'S HEAD QUARTER AT TOKYO, IN AN URGENT MESSAGE FROM BANGKOK INFORMED HIS HIGHER AUTHORITY IN INDIA. "ON NOVEMBER 12, 1945, HE EXAMINED A MAN NAMED K. WATANABE, WHO WAS WORKING AS AN INTERPRETER IN HIKARI KIKAN. WATANABE TOLD HIM "...THEY DISCUSSED HOW BOSE COULD	112-113 SUB PARA (VI)

Unrelated E.

REFERENCE	PAGE
BE SENT TO HIS DESTINATION" (NETAJI INQUIRY COMMISSION 1970, -EXHIBIT NO. COM 28/V)	112-113 SUB PARA (VI)
(v) AFTER RECEIVING THIS MESSAGE, INTELLIGENCE TEAM RESUME FRESH INTERROGATION OF GENERAL BHONSLE. THE TEAM RECORDED "WHAT WE FEARED, IT HAPPENED EXACTLY SO. BUT HE (BHONSLE) ADMITTED THAT HE HIMSELF AND HABIBUR RAHAMAN, LT. GEN. ISODA AND COL. KAGWA HAD A MEETING WITH BOSE. HE ALSO ADMITTED THAT THEY DISCUSSED HOW BOSE COULD BE SENT TO HIS DESTINATION." HE ONLY SAID, IF ANY BODY OF HIS TRUSTED MEN KNEW ANYTHING ABOUT THE REAL PLAN OF NETAJI THEN NONE WILL SAY IT NOW". (REPORT OF LT. COL. MCKWRIGHT, EXHIBIT NO: COM /28/V)	113-114 SUB PARA (VI)
(vi) JUSTICE KHOSLA, CHAIRMAN OF NETAJI INQUIRY COMMISSION 1970, SAID ON ONE OCCASION : "IF THERE WAS A PLAN LIKE THIS, IT IS VERY STRONG ARGUMENT AGAINST THE FINDINGS OF THE NETAJI INQUIRY COMMITTEE, 1956". (PROCEEDINGS OF NETAJI INQUIRY COMMISSION, 1970. VOLUME - II, PAGES 499 AND 500 DATED 4.11.1970.)	

Unrecorded.

C
E X I S T E N C E

REFERENCE	PAGE
1. INFORMATION INDICATING NETAJI'S ARRIVAL IN MANCHURIA. "ON THE 18TH AUGUST MORNING A MESSAGE WAS RECEIVED IN THE RED FORT RELAYED FROM TRINCOMALI FROM THE AMERICAN NAVAL INTELLIGENCE " "PROCEEDINGS OF NETAJI INQUIRY COMMISSION 1970 PAGES 3712, 3687 & 3723 - 3724.	120 - 121 PARA 116, 117
2. NETAJI'S RADIO BROADCAST FROM SINGAPORE ON 18TH AUGUST, 1945 AT 21-15 HOURS	ANNEXURE-I 182 -183
3. NETAJI WAS RECEIVED AT THE EMBASSY AT 'CMSK' ON OR ABOUT 26TH AUGUST.	123 PARA-118 SUB PARA-C
4. A NOTE FROM SIR F. MUDIE TO SIR E. JENKINS ON 23RD AUGUST, 1945 1) BRING HIM BACK TO INDIA AND TRY HIM..." II) "LEAVE HIM WHERE HE IS AND DONT ASK FOR HIS SURRENDER" TRANSFER OF POWER - VOL-VI ITEM NO - 57 PAGE 138 & 139 (IMPORTANT)	123 - 124 SUB PARA-C(1) AND (11)
5. NOTE BY MILITARY INTELLIGENCE (EXTRACT) (IMPORTANT) "...THE CONTINUED EXISTENCE OF NETAJI POSSIBLY UNDERGROUND..." 14TH SEPTEMBER 1945 TRANSFER OF POWER - VOLUME - VI, DOCUMENT NO. 109, PAGE - 262	93 SUB PARA - (IV)

Vandana L.

REFERENCE	PAGE
6. A.P.I. REPORT ON 29TH AUGUST, 1945. "THE AMERICAN CORRESPONDENT ASSERTED THAT SUBHAS WAS ALIVE AND SEEN FOUR DAYS AGO IN SAIGON."	ANNEXURE - J PAGE - 184
7. BRITISH MILITARY INTELLIGENCE REPORT. (IMPORTANT) (1)"..... NEHRU RECEIVED A LETTER FROM BOSE HE WANTED TO ESCAPE TO INDIA. HE WOULD COME VIA CHITRAL." (11)"MORADOFF, THE RUSSIAN VICE CONSUL GENERAL (TEHRAN) DISCLOSE IN MARCH THAT BOSE WAS IN RUSSIA ..." FILE NO - 273/INA PAGES 38 AND 39	124 SUB PARA - F
8. DECLASSIFIED C.I.A. DOCUMENTS (IMPORTANT) "...ON 20TH FEBRUARY 1964RELATED A STORY CONCERNING THE POSSIBLE RETURN OF ONE SUBAS (OR SUBHAS) CHANDRA BOSE.	ANNEXURE - L 186 -197 AT PAGE - 196.
9. A LETTER FROM KHURSHED NAOROJI TO LOUIS FISCHER ON 22ND JULY, 1946. " AT HEART INDIAN ARMY IS SYMPATHETIC WITH THE INDIAN NATIONAL ARMY. IF BOSE COMES WITH THE HELP OF RUSSIA NEITHER GANDHIJI NOR THE CONGRESS WILL BE ABLE TO REASON WITH THE COUNTRY." (IMPORTANT)	ANNEXURE - M 198 - 205 AT PAGE - 205
10. THE REPORT OF 'INTERPRESS' A GERMAN INTELLIGENCE MAGAZINE, DATED 28/10/1949 (V. IMPORTANT)	ANNEXURE - N 206 - 210

V. Important.

REFERENCE	PAGE
11. LATE MATURAMALINGA THEVAR'S PRESS STATEMENT ON 3RD APRIL, 1956 THAT HE MET NETAJI IN CHINA, IN THE YEAR 1949.	ANNEXURE - P 212 - 213
12. AN ARTICLE OF ELLIOT ERIKSON PUBLISHED IN A MONTHLY AMERICAN MAGAZINE, 'NATIONAL REPUBLIC', ON FEBRUARY 1954, WHERE THE AUTHOR SAID "THERE IS A STRONG POSSIBILITY THAT BOSE IS ALIVE".	
13. (a) NETAJI IN RED CHINA - 'SARAT BOSE ASSERTS GOVT., POSSESS INFORMATION'(THE NATION, CAL-1949)	SUPPLIMENTARY AFFIDAVIT - ONE
(b) IS NETAJI DEAD AN ARTICLE WRITTEN BY P.C.KAR.	
(c) SASANKASEKHAR SANYAL'S SPEECH ON THE FLOOR OF THE PARLIAMENT ON THE MOTION REGARDING REPORT OF COMMISSION OF INQUIRY (1970) ABOUT NETAJI, ON AUGUST 3, 1977.	28 - 33 A ANNEXURE - 'W' colly

1. ON THE 1ST JULY, 1945 AT A PRESS CONFERENCE IN SIMLA NEHRU SAID "...IT WAS, HOWEVER, A DIFFERENT MATTER AS TO UNDER WHAT CONDITION HE (SUBHAS BOSE) WOULD BE ALLOWED TO RETURN TO INDIA." (EVIDENCE OF DWIJENDRANATH BOSE BEFORE NETAJI INQUIRY COMMISSION 1970)	133 PARA - 120 SUB PARA - I
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Nm. 6.

REFERENCE	PAGE
2. SHYAMLAL JAIN'S EVIDENCE BEFORE NETAJI INQUIRY COMMISSION 1970. (IMPORTANT)	133-134 SUB PARA - II
3. STATEMENT OF JAWAHARLAL NEHRU ON WAR-CRIMINAL ON 29TH AUGUST, 1945.	ANNEXURE - J PAGE - 184
4. DOCUMENTS REFERRED TO IN THE TRANSFER OF POWER, VOL - VI. (IMPORTANT)	90-96 PARA - 80
5. LATE MATHURAMALINGA THEVAR, M.L.A. (MADRAS) APPEARED BEFORE NETAJI INQUIRY COMMITTEE AS WITNESS AND PUT FORWARD SOME QUESTIONS WHICH WAS PUBLISHED ON 5TH APRIL, 1956.	136-138 SUB PARA - VII
6. IN REPLY TO THE EX.AIR VICE MARSHAL SRI SURENJI GOYAL'S LETTER ON 15TH FEBRUARY '1997, THE EXECUTIVE ASSISTANT TO THE SECRETARY ON MAY 1, 1977 STATED INTER-ALIA: ".....BUT HE IS POWERLESS TO UNDO REFERENCE THAT MAY HAVE BEEN MADE IN THE PAST..." (IMP)	ANNEXURE - T colly 219-220
7. IN A LETTER DATED 9TH DECEMBER, 1998, DR. AMALENDU GUHA, A PROMINENT ECONOMIST, RESIDING AT OSLO, NORWAY, REQUESTED THE PRIME MINISTER OF BRITAIN MR.TONY BLAIR TO LET HIM KNOW AS TO WHETHER ; a) INDIAN SUBHAS CHANDRA BOSE'S NAME HAD BEEN RECORDED AS WAR-CRIMINAL b) BY WHOM (WHICH GOVERNMENT) c) SINCE WHEN	139 SUB PARA - X AND ANNEXURE - U 221

Vimala L.

RERERENCE	PAGE
<p>IN REPLY TO DR. AMALENDU GUHA'S LETTER FOREIGN AND COMMONWEALTH OFFICE ON BEHALF OF PRIME MINISTER OF BRITAIN WROTE ON 22ND DECEMBER 1998: "THE QUESTION OF HOW TO TREAT SUBHAS CHANDRA BOSE ARE TO BE FOUND IN VOLUME - VI OF THE TRANSFER OF POWER SERIES". (V.V. IMPORTANT)</p>	
<p>8. RECOMMENDATION OF THE GENERAL ASSEMBLY OF THE U.N.O. IN 1946 AND ITS REAFFIRMATION IN 1971 FOR ARREST OF WAR-CRIMINALS". (V.V. IMPORTANT)</p>	<p>ANNEXURE - V 222 - 229 AND ALSO AT PAGES 139,140 SUB PARA - XI</p>

Vandana

BY REGISTERED POST
WITH A/D

JUSTICE MUKHERJEE COMMISSION OF INQUIRY

FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF

NETAJI SUBHAS CHANDRA BOSE.

'B' Block, (Third Floor)

11/A Mirza Ghalib Street, Calcutta 700 087

Phone:

Chairman - 252-2835

Secretary - 252-2767

Officer on

Special Duty - 252-2765

Office - 252-2765/69

566/1 DS(15-17)/01
6/8

5679/DS(15-17)/01
6/8

No. JMCI/ Affidavit-Averments (Follow-up)/ Calcutta, dated, the August 1, 2001
2000-2001/67/228

From : Shri P.K. Sengupta,
Secretary

To : Ms. Sangita Gairola,
Joint Secretary to the Government of India,
Ministry of Home Affairs, (IS),
North Block,
New Delhi-110001.

Sub : Filing of original or authenticated
copies of the documents relied upon
by the deponents.

Madam,

I am directed to refer to your letter No.I/12014/10/2001-IS
(D.III) dated July 4, 2001 and to state that it is not clear from
the aforesaid letter whether or not the Ministry of Home Affairs,
Government of India, is at all concerned in the matter of furnishing
the documents mentioned and relied upon by the deponents referred to
in Commission's letter No.JMCI/Affidavit-Averments (Follow Up)/
2000-2001/67/132 dated May 30, 2001.

I am directed to request you to file a supporting affidavit
in the matter by a competent Officer of the Ministry, not below the
rank of the Joint Secretary, Government of India, within four week
from the date of receipt of this letter.

Yours faithfully,

(P. K. Sengupta)
Secretary

Pl. examine & put
up within a week

6.8

DS(15-17)

Put up on 7/8
1/8

USCD-10

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SECRET

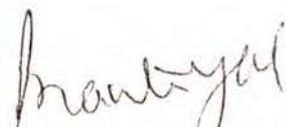
Intelligence Bureau
(Ministry of Home Affairs)

...

Sub: Justice Mukherjee Commission of Inquiry -
Filing of original or authenticated copies
of documents relied upon by the deponents.

MHA may please refer to their letter No.I/12014/10/2000-IS(D.III) dated 4.7.2000 regarding filing of documents mentioned by a deponent, Nandlal Chakrabarti and filing of an affidavit if necessary.

All available documents relevant to the disappearance of Netaji Subhash Chandra Bose, which were given to the Shah Nawaz Committee, have already been sent to MHA for onward transmission to the Commission. From examination of the set of documents mentioned by the deponent, Nandlal Chakrabarti, it is seen that there are two documents listed at Sl No.24 under 'A' and No.4(IV) under 'B' of the enclosure to his petition relating to Intelligence Bureau which are available. Copies of these documents were given to the Shah Nawaz Khan Committee in 1956 by Intelligence Bureau and their authenticated copies have also been given to MHA, vide our letter No.IV/8(66)/2001 dated 20.6.2001 for onward transmission to the Commission. It is felt that as these documents have already been submitted to MHA for transmission to the Commission, IB has nothing more to file.


(P.P. Nautiyal)
Addl Deputy Director

MHA (Shri VP Bhatia, Under Secretary - IS (D-III))
DIB UO No.IV/8(66)/2001-1128 dated 12/7/01

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F.No.9-2(5)/2001-PA,
Government of India,
National Archives of India,
Janpath, New Delhi,

By Special Messenger

the 13 JUL 2001

To,

Shri V.P.Bhatia,
Under Secretary, IS (D III)
Ministry of Home Affairs,
Government of India,
North Block, New Delhi.

Sub: Filing of original or authenticated copies of documents
relied upon by the deponents.

Sir,

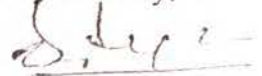
I am directed to refer to your letter No.1/12014/10/2001-IS(D.III) dated 4th July, 2001 on the aforementioned subject.

In this connection I would like to inform you that National Archives of India has already provided zerox copies of files relevant to disappearance of Netaji Subhas Chandra Bose including INA files de-classified by the Ministry of Defence, Government of India and transferred to the National Archives of India in August 1997 through Department of Culture, Government of India. All these files have been sent to Justice Mukherjee Commission of Inquiry on 19th May, 2000 and 31st May, 2000 in 2 lots (list enclosed). The officials of Justice Mukherjee Commission of Inquiry has also visited National Archives of India and all relevant material relating to Netaji Subhas Chandra Bose and INA was shown to them. I would also like to inform you that the petitioner Shri Nandlal Chakrabarti had also visited National Archives of India and consulted papers referred to in his petition dated 25th May 2001. Zerox copies of relevant material has also been provided to him on payment basis for his research purpose.

As you are aware that National Archives of India is the custodian of papers transferred by different Ministries and Departments of the Government of India providing access to these records only for research work to the bonafide scholars. Since all the files are open for consultation in the National Archives of India the Commission may depute their representative for consulting the same if so desired. It may be mentioned here that as per the practice the original public records are not supposed to be allowed to go outside the premises of National Archives of India, Janpath, New Delhi.

As regards references about Mountbatten and Wavell papers it is submitted that National Archives of India and Nehru Memorial Museum do acquire such papers like any other private papers in microfilm forms for the use of scholars by way of gift, purchase and mutual exchange of each others interest. The original papers of Mountbatten and Wavell are not available with the National Archives of India.

Yours faithfully,



(S.M.R. BAQAR)

Deputy Director of Archives

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List of files supplied to Justice Mukherjee Commission of Inquiry.

<u>S. No.</u>	<u>File No.</u>	<u>Subject</u>	<u>Pages</u>
1.	75/INA	Important Documents Recovered by 'S' section	74 pages
2.	138/INA	Fortnightly Intelligence Summery	222 pages
3.	249/INA	Information on Subhash Chandra Bose	185 pages
4.	265/INA	1. Provisional Government of India 2. The Azad Hind Dal	132 pages
5.	273/INA	Subhas Chandra Bose - a) Notes b) His departure from Bangkok on 17th c) Is SC Bose still alive? d) Extract from Allied Forces SEA Weekly Intelligence Review No. 57 for week ending 2 Nov. 45 e) S.C. Bose's death nurse at Hospital where he relates story f) Data relating to his death in an Aeroplane g) His proposal to see the Russian Ambassador h) Statement with regard to his death i) Last moments of S.C. Bose	40 pages
6.	282/INA	How did Netaji Subhash Chandra Bose go to Japan from India	3 pages
7.	379/INA Pt. LXXIX	Report bearing secret No. 1400/23/SE. 6SDIC Red Fort, Delhi dt. 29th May 1946	39 pages
8.	Speeches of ^{Netaji} Subhas Chandra Bose	Netaji's Broadcast at 21.15 hrs. to 21.25 hrs., special message on 18.8.45	2 pages

9. 16-3/45-Poll. Shifting of the ban on the ^{For}ward Bloc (It is containing the secret report dt. 19.9.45 by R. Tottayham) 67 pages
10. 8-18/46-Poll. Council of State-question-Nov. 1946 regarding the reappearance of Netaji Subhas Chandra Bose 10 pages
11. 8-15/46-Poll. Council of State-Nov. 1946 by the Hon'ble Raja Yuvraj Dutta Singh. Efforts to capture Netaji Subhas Chandra Bose. 5 pages
12. 8-2/47-Poll. Council of State-question-Budget-session, 1947 The Hon'ble Raja Yuvraj Dutta Singh re-arrest of Two Italian from the house of a forward Bloc worker, Indu Dev on suspicion that they had been deputed by Netaji Subhas Chandra Bose to the Punjab with some mysterious mission. 9 pages

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FILES PERTAINING TO INA/NETAJI SUBHASH CHANDRA BOSE

SL. NO.	FILE NO.	FILE SUBJECT	CONTENTS OF FILE
<u>FILES AVAILABLE</u>			
1.	17/DG/83	Netaji Subhash Chandra Bose	A note on Hemendra Nath Pandit, Journalist, Calcutta. He made a request to examine the contents of two suit cases of Subhash Chandra Bose.
2.	15/D/87(13)	Enquiry relating to Subhash Chandra Bose	Regarding exploitation of Netaji's name by political leaders and others.
3.	32/DM/88	Demand for bringing back the ashes of Subhash Chandra Bose from Japan to India.	Demand for bringing back the ashes of Subhash Chandra Bose from Japan to India.
4.	32/DM/90	Enquiry relating to Subhash Chandra Bose.	Regarding a memorandum from Keshav Prasad Sharma, General Secy, Indian Revolutionary Socialist Party(M), Allahabad on the subject.
5.	IV/6(395)/93	Subhash Chandra Bose	Controversy regarding bringing of Netaji's ashes to India from Japan.

FILES AVAILABLE ON MICROFILM

6.	BA-16	INA in Burma & Malaya No. 1-Engineer Company.	Extract from joint interrogation -scale of ammunition, list of casualties of No. 1 Engineering Coy INA.
7.	BA-17	INA in Burma & Malaya No. 2-Engineer Company	Extract from CSDIC(India), Red Fort, Delhi regarding the INA units at Chshing High School.
8.	BA-18	INA in Burma & Malaya No.1-Hospital	Extract from CSDIC(India), Red Fort, Delhi regarding INA Base Hospital Mayangon. Note on Medical Organisation of the Second INA. Regarding difficulties in smooth running of Medical College.
9.	BA-19	INA in Burma & Malaya No. 2-Hospital	Regarding names, etc., of the hospital staff.
10.	BA-24	INA in Burma & Malaya No.2-Bahadur Group	Note on formation of Bahadur group, postings, etc. Extract from South-East Asia Command and India Command Weekly Security Intelligence Summary. Extract from interrogation report.

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|-----|-------------|--|--|
| 11. | BA-48(1)-II | Organisation policy,
records of meetings of
INA | Press extracts regarding INA
Relief Committee. |
| 12. | BA-I-III | INA in Burma and Malaya,
personalities including
Japanese. | List of INA officers. Request
for interrogation of Habibur
Rehman. Extract from Allied
Land Forces South East India
(Weekly Intelligence review No.53) |
| 13. | BA-I-II | -do- | Extract from CIO, Lahore Daily
Report No. 54. To locate bodies
of the INA personnel. Diary of
important events between Feb 1924
and Oct 1943. |
| 14. | BA-I | INA general file
containing reports, etc. | Extract of Weekly Security
Intelligence (WSI).
Background of INA.
Extract of W.S.I. No.175 dated
8.3.45.
Activities of INA in Burma & Malaya. |
| 15. | BA-27 | INA | INA in Burma & Malaya
Rear Hqrs. - INA |
| 16. | BA-28 | INA | INA in Burma & Malaya
the Special Task unit. |
| 17. | BA-29 | INA | INA in Burma & Malaya and
INA's artillery. |
| 18. | BA-30 | INA | INA Military Police |
| 19. | BA-51(1) | INA | General objectionable
activities, other than those
related to INA personnel. |
| 20. | BA-52 | INA | Release and disposal
of INA officers. |
| 21. | BB-I | INA | INA in Hong Kong - General File |
| 22. | BC-I | INA | INA in other occupied
territories. |

23. 1/INA/D/69 INA
Extract of news item from Jugantar, Calcutta dated 4.3.69 captioned "Escape of Netaji by Submarine from Singapore".
Copy of MEA LO No. C/125/5/69/JP dated 22.3.69 reg. Lok Sabha Question No. 25696 of Samar Guha.
DIB LO No. 1/INA/D/69 dated 31.3.69 reg. reply to the above Lok Sabha Question.
DIB LO No. 1/INA/D/69 dated 19.7.69 regarding particulars of Gora Chand Sanyal.
Copy of statement obtained from Inspector Gora Chand Sanyal of Security Control, Calcutta.
Certificate of Service of Gora Chand Sanyal.
24. 1/INA/D/61(1)II INA - Papers released by a former JD. Note containing life and activities of Subhash Chandra Bose. Organisation of INA. Note on Indian Independence League.
25. 1/INA/D/61(1)III INA- -do- Netaji Enquiry Committee Report 1956 by Shah Nawaz Khan.
26. 1/INA/D/61(1)IV INA -do- Movement for Indian Independence outside India. Surrender of Japanese Army, end of war in Eastern Sector. Notes on air crash and death of Bose
27. 1/INA/D/61(1)V INA -do- Notes on statements of general public on Netaji's death, formation of Shah Nawaz Committee.
28. 6/DG/67(52) Committee on Netaji. Ashes of Netaji. Letter by 4 MPs to the President of India demanding appointment of a fresh Commission to enquire into the circumstances about Netaji's disappearance.
29. 25/DG/76 Netaji - His ashes to be brought to India Case regarding bringing of ashes of Netaji from Japan to India.
30. 6/DG/68(55) Freedom fighters (1857-1947) Compilation and publication of a booklet containing brief life sketches of patriots hanged/killed during the country's freedom struggle.
31. 6/DG/68(55)BII Freedom fighters (1857-1947) Name and particulars of freedom fighters.

- | | | | |
|-----|-----------------|---|---|
| 32. | 6/DG/68(55)BIII | Freedom fighters
(1857-1947) | Names and particulars of freedom fighters.
Background note on Netaji. He was reported dead in an aeroplane accident on his way to Tokyo on the day of 18 Aug 1945. |
| 33. | 6/DG/68(55)BIV | Freedom fighters
(1857-1947) | Names and particulars of freedom fighters. |
| 34. | 11/JC/43(3)A.II | Prosecution of Indian agents of Japan dropped by parachute. | Extract from a letter dt. 24.1.44 from E.W.C. Wace (DIG, Punjab) to W.N.P. Jenkin (DD, IB) Evidence against Ajaib Singh and other Parachuters. |
| 35. | 6/JC/43(2)-I | Indian Independence League, Japan, Sian, Thailand. | IB's fortnightly report on surveillance . |
| 36. | 50/JC/43(3)F | Japanese intelligence offensive against India. | Profile of INA personnel of Lahore area. |
| 37. | 50/JC/43(3)G | Sandy Craft Trg. School Penang. | Circular memo. no. S.A.259(A.G.)(38) dated 20.10.44 regarding the position of enemy agents known or suspected to have been sent by Japan to India from Penang and who are undetected.
Annexure 'A' to the above circular
- Members of the Punjab Bengali Party from Sandy Craft, Training School
Annexure 'B'- Members of Sandy Craft Training School who left the school in Dec. 1943 and were later taken to Burma
Annexure 'C'- Members of Sandy Craft Trg. School who were taken to Singapore for parachute training.
Annexure 'D'- Note on Sandy Craft Trg. School. |
| 38. | 15/JC/43 | S Younger's Trg. Institute | Correspondence with SB, Punjab CID and Home Department. Extract of Weekly Intelligence Summary. |
| 39. | 10/JC/43(8) | -- | Interrogation report of Aita Singh Guruno. Interrogation report of INA personnel Lien Khung. Suspected Japanese contacts. Copy of HQ. Southern Army letter dt. 19.5.43 regarding desertions, suspected contacts with the Japanese. |

40. 10/JC/43(8)	--	Interrogation reports in respect of freedom fighters.
41. 84/DG/45	Disturbance connected with INA	Messages regarding situation in Calcutta. Police firing in Calcutta and Bombay etc.
42. 2/JC/47(1)	Regarding organisation and policy of INA.	Proposal by INA Advisory Committee Delhi regarding their relief & re-settlement. Instruction of INA members on the Surat Cong. Conference. Resolution passed by INA Revolutionary Committee. Demands of INA.
43. 2/JC/47(5)	Re-employment of INA	Re-employment of INA personnel in public service. Policy of Central Govt. regarding re-employment of INA personnel in public service.
44. 2/JC/43(B)	INA contact parties.	Names of INA personnel seeking employment.
45. 17/JC/43	INA-Subhash Chandra Bose	Extract from daily wireless bulletins about INA & Subhash Chandra Bose and extract from radio broadcasts.
46. 35/JC/43-11	-do-	-do-
47. 16/JC/43	-do-	-do-
48. 35/JC/43-IV	Bose- Provisional Govt.	-do-
49. 35/JC/43-I	Bose- Provisional Govt.	-do-
50. 1/INA/D/60	INA Personnel-General File	Correspondence with MEA on Netaji Research Bureau, Aims and Objectives.
51. 1/INA(D)/64	INA	Formation of Netaji Exhibition Committee.
52. 1/INA/54	Ex. Personnel of INA	Netaji's work in Germany. Notes on ex-personnel of INA.
53. 10/PBCD/62	Sarat Chandra Bose	Sarat Chandra Bose's allegations against Indian Embassy & other connected matters. Source reports/correspondence between Sarat Chandra Bose and Indian High Commissioner (T.K. Kaul).
54. 2/INA(D)/69-11	Sandy Craft School, Peong.	Trained INA members sent to India for movement/activities. A brief note on them.

55. 1/INA(D)/59	INA	Review of books relating to Netaji and political parties. Extract from Hindustan Times regarding fresh probe into Netaji mystery. Inquiry made by Shahnawaz Committee.
56. 30-44	Japanese conspiracy- court case of Ajaib Singh	Court proceedings and judgement of Special Judge, Delhi dt. 27.5.44
57. JC-44	-do	Court proceedings of Ajaib Singh. Consideration of appeal and review of judgement.
58. 18/INA/42	General file regarding India and other matters in Thailand.	Indian Independence Conference June 1942. Axis radio propaganda of Subhash Bose's death dt. 8.4.42- Air accident and other reports in the matter.
59. 30/INA/42-1	Indian independence movement in far East.	Japanese subversive activities in Bangkok. Indian independence conference in Bangkok. Message from Netaji to the above conference from Germany on 18.6.42.
60. 30/INA/42-11	-do-	Report dated 18/19.10.42 regarding visit of Ras Bihari Bose to Bangkok. Extract from statement by S/54544 S/Sgt Sheridan who escaped from Hong Kong.
61. 49/JC/43(3)G	Japanese intelligence against Indian 5th Column, Burma	Reports/details on K. Baba Amar Singh School, Rangoon.
62. 49/JC/43(3)H	-do-	Reports/details on K. Baba Amar Singh School, Rangoon.
63. 31/DG/56	Netaji Enquiry Committee	Extract from Civil and Military Gazette dated 30.1.56. News item stating that Bose became Head of Japanese sponsored Provisional Govt. English translation of news item published in Ananda Bazar Patrika dated 17.4.56, captioned 'dispatch of detective from Bengal by the Govt. of India for the arrest of Netaji.' IB's Memo. No.1/INA/54 dated 22.6.56 to Shah Nawaz Khan, Chairman, Netaji Enquiry Commission. News item in Hindustan Times dated 7.3.56 (Imphal) reg. statement of Mr. Sukejo Miero, Leader of

Japanese War Grave Commission.
News item of the Hindustan Times dated 10.4.56 containing statement of Habibur Rehman of the Pakistan Political Service.
Memo. from SIB, Calcutta to DIG, IB, WB reg. IB's decision to send investigators to Far East.

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|-------------------|--|---|
| 64. BA-48(1)-11 | Organisation, policy & records of meeting of (i) INA Enquiry & Relief Committee in India (ii) INA Advisory Committee | Source report on INA Enquiry & Relief Committee.
Minutes of INA Advisory Committee.
Detained INA men's release demanded. |
| 65. 15/D/81(12) | Azad Hind Fauz Assoc. | Regarding request by Azad Hind Fauz Association, Daryaganj, Delhi for supply of a comprehensive list of ex-INA personnel. Letter to DIB. No action was taken. |
| 66. 50/JC/43(3)H | File regarding Lt. Col. Gilani, INA | Note on Lt. Col. Gilani's INA Party. |
| 67. 25/DG/70(1) | INA | Regarding letter written by Subhash Chandra Bose to three INA Army Officers.
Extract from the 'Nippon Times' dated 5.7.47 regarding Subhash Chandra Bose's ideology. |
| 68. 25/DG/70(2) | INA | One Member Khosla Committee enquiring into the death of Netaji.
Genesis of the 1st Enquiry Committee. |
| 69. 25/DG/70 | INA | Note on the issue 'Whether Netaji Subhash Bose is still alive or not',
Comments and views of different political parties. |
| | | Attached report from DD/SIB, Calcutta |
| 70. 1/INA/D/61(1) | INA papers released by JD | Tokyo Conference 1942, activities of IIL, birth of INA, proclamation of Provisional Govt. of Azad Hind. |
| 71. 1/INA/49 | General File-INA in India | Misc. intercepted reports on INA personnel.
Secret source reports & newspaper articles.
Celebration of Azad Hind Government Day in the city.
INA convention.
INA to continue as non-political Organisation. |

2. 3/INA/50 INA - General File. IB UO. No. 3/INA/50 dated 19.1.50 addressed to Combined Inter-Services Historical Section, India & Pakistan regarding non-availability of photographs of the remains of S.C. Bose and the official strength of INA.
73. 8/INA/D/59 Papers regarding judicial Court proceedings of the three records of Sohan Singh, persons. Ganga Singh and Sadhu Singh of INA.
74. 49/JC/43(3)-1 Regarding Japanese Reports relating to Biren Roy intelligence offensive School, Rangoon. against India-5th column. Interrogation reports relating to the personnel of above school.
75. 50/JC/43(3)k Reg. Bengali Spy All India Political who's who. School - Penang. Volume of WB - Names of the leaders Personal details & photographs of WB leaders.
76. 61/JC/43(2)-11 Propaganda used by the Wireless Bulletin Japanese. extracts. Article in Hindustan Times regarding Indian patriots.

MOST IMMEDIATE

**No.I/12014/6/2001-IS (D.III)
Government of India
Ministry of Home Affairs

New Delhi, the 25th October, 2001.

To

- 155 Sec P. Bhatia
25/10/01
- (1) Shri Jayant Prasad,
Joint Secretary (AMS & CNV),
Ministry of External Affairs,
South Block,
New Delhi.
 - (2) Shri G.B. Singh
Director (History Division),
Ministry of Defence,
3/West Block-8, Wing-I,
R.K. Puram,
New Delhi.
 - (3) Shri Sunil Jain,
Director,
Prime Minister's Office,
South Block,
New Delhi.

Sub:- **Files/Record/Documents mentioned in paras a (i) and a (iii) of the proceedings dated March 23, 2000 of Justice Mukherjee Commission of Inquiry.**

Sir,

I am directed to enclose a copy of letter No.JMCI/Meeting-Proceedings (Follow-up)/48 (Vol.II)/274 dated August 23, 2001 on the subject noted above as also a copy of the proceedings dated March 23, 2000 of the Commission.

2. It is requested that the files/Records/Documents mentioned in paras a (i) and a (iii) of the said proceedings may please be examined and the files/records etc. which pertain to your Ministry/Department may please be identified and the Commission advised accordingly under intimation to this Ministry. It is further requested that this exercise may be completed expeditiously to enable the Commission to take further action in the matter.

Encl:-As above.

Yours faithfully,

(V.P. BHATIA)

Under Secretary to the Govt. of India
Tele No.301 5700

Please inform
1/10
25/10

15/10/01

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MOST IMMEDIATE REGD

Tele.6102067

MINISTRY OF DEFENCE
History Division
West Block-8
R.K. Puram,
New Delhi-110011

No.2191 NIC H 99

29 Oct 2001

Shri V.P. Bhatia
Under Secretary
Ministry of Home Affairs
IS-1 Division, North Block
New Delhi-110001


Subject:Filling of original or authenticated copies of the documents
relied upon by the deponents.

Sir,

Reference MHA (IS 1 Division) OM No.112014/10/2001 IS (D III)
dated 25th October, 2001 on the above subject.

2. An affidavit signed by Shri Falguni Rajkumar, Joint Secretary (Trg) & CAO was filed vide this office letter of even number dated 12 July, 2001 stating that all the files, documents, proceedings relating to INA and INA trials and Netaji Subhas Chandra Bose held in the History Division, Ministry of Defence were transferred to the National Archives of India and that apart from those records no other records/proceedings exist in the Ministry of Defence. (A copy of the affidavit is enclosed)

3. The Commission may please be informed accordingly.


(G.B. Singh)
Director

Encl: As above.



AFFIDAVIT

Before Justice Mukherjee Commission of Inquiry

To enquire into the alleged disappearance of Netaji Subhas Chandra Bose -
calling for the production before the Commission of documents/files/records
relating to Netaji Subhas Chandra Bose and Indian National Army.

AFFIDAVIT ON BEHALF OF THE GOVERNMENT OF INDIA IN THE MINISTRY OF DEFENCE

I, Falguni Rajkumar, Joint Secretary (Tig) & CAO, Ministry of
Defence, New Delhi, do hereby solemnly affirm and declare as follows:

1. That the present affidavit is being filed in pursuance of the JMCI letter
No. JMCI/Records/New Delhi/99-2---/37/57 dated 3rd May 2001 from the
Secretary, JMCI, Calcutta and that the reply is stated as under:-

(a) That all the files, documents, proceedings relating to INA and
INA trial and Netaji Subhas Chandra Bose held in the History
Division, Ministry of Defence were transferred to National
Archives of India as stated vide affidavit filed on 1st Feb 2001
and that apart from the records no other records/proceeding
exist in the Ministry of Defence.

2. That in respect of records other than those stated above there is no
information available in our records regarding reasons for non existence

and/or destruction of records, if any, and/date and place of destruction of those records.

3. That microfilms/microfiches of the documents relating to INA and Netaji Subhas Chandra Bose are not available in the Ministry of Defence.


Deponent

VERIFICATION

I, the said Falguni Rajkumar, Joint Secretary (Trg) & CAO, Ministry of Defence do hereby solemnly affirm and state that what is mentioned above is stated on the basis of information derived from the records relating to this matter and on the basis of information received from the concerned authorities.


Deponent

Solemnly affirmed at New Delhi

This the 12 Jun 2001

ATTESTED

NOTARY DELHI

12 JUN 2001



Before the Hon'ble Justice Mukherjee Commission of
Inquiry at Kolkata

IN THE MATTER OF COMPLIANCE WITH THE ORDERS
OF THE COMMISSION AS PASSED IN ITS PROCEEDING
DATED 17TH OCTOBER 2001 HELD AT NEW DELHI.

AFFIDAVIT

I, Smt. Sangita Gairola working as Joint Secretary
(Internal Security-I) in the Ministry of Home Affairs do solemnly
affirm and state as under: -

1. With regard to the Status Report as on October 9, 2001,
actions asked in Paragraphs 2, 5, 6, 7, 8, and 9 have been
shown as pertaining to Ministry of Home Affairs. With
regard to each of those paragraphs, our response is given
in the succeeding paragraphs.
2. With regard to Paragraph No.2 of the said Status Report,
the documents mentioned in Paragraphs (a) (i) and (a) (iii)
of the Proceeding dated 23rd March, 2000 are not available
in the Ministry of Home Affairs. The Ministry of External
Affairs, Prime Minister's Office and the Ministry of
Defence have been asked on 25.10.2001 and Intelligence
Bureau on 5.11.2001 to identify the



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records/files/documents mentioned in the said Paragraphs Nos. a (i) and a(iii) of the proceeding dated 23rd March, 2000, and report which of them pertain to them and to apprise the Commission directly of the position. Only Ministry of Defence has informed that an affidavit has already been submitted before the Hon'ble Commission on 1st February 2001 regarding documents mentioned at the said Paragraphs (a) (i) and (a) (iii) of the proceedings dated March 23, 2000. Intelligence Bureau has filed a separate affidavit on 11.12.2001 regarding their stand with respect to said various documents etc. This Ministry is therefore not in a position to state as to which Ministry/Department, those documents pertain.

3. As regards the requisition made in Paragraph No.5 of the Status Report, certain records pertaining to Khosla Commission were made available to the Hon'ble Commission. The records already made available to the Commission were identified by a representative of Ministry of Home Affairs in the sitting of the Commission on 22.12.2000. However, as per direction of the Hon'ble

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Commission as contained in the Status Report as on October 9, 2001, a vigorous search was launched to locate files/documents mentioned in the proceedings from time to time. As a result of this search, some more documents have since become available and a list thereof is enclosed at Annexure – A herewith, for perusal of the Hon'ble Commission.

4. With respect to the "contemporary official documentary records" referred to in Paragraph No.6 of the said Status Report dated 9th October, 2001 no such records have been located in this Ministry so far. The matter has also been taken up with Prime Minister's Office on 10.10.2001, requesting them to trace the relevant records at their end.
5. With regard to requisitions made in Paragraph No.7 of the said Status Report, in so far as affidavit/supplementary affidavit of some deponents including the affidavit dated February 17, 2000 and two supplementary affidavits dated July 28, 2000 and August 25, 2000 filed on behalf of Jyotish Chandra Bose and 8 others are concerned, the contents thereof have been gone through. The averments



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and allegations made therein are matters of records and subject to consideration by the Hon'ble Commission. Some of the records available with this Ministry have been made over to the Honb'le Commission and some others have been discovered with this Affidavit for consideration by the Honb'le Commission.

As has already been stated, this Ministry has also taken up the matter with Ministry of External Affairs, Ministry of Defence, Intelligence Bureau, National Archives of India and Prime Minister's Office to go through the documents and if necessary submit an affidavit to the Commission directly.

6. With regard to the requisition made in Paragraph No.8 of the said Status Report it may be submitted that as far as this Ministry is concerned no such affidavit has been located so far.
7. Regarding the matters of Paragraph No.9 of the said Status Report, we have sent copies of the Affidavit to the concerned Ministries for examination and reporting directly to the Commission. There is nothing in records of

*Confidential
Regard 34 files
destroyed or missing*



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this Ministry to indicate the name of the Ministries/Departments concerned with various documents. Position with regard to documents/files located by this Ministry has already been stated in Paragraph No.3 hereinabove. Intelligence Bureau has informed this Ministry that it has filed an affidavit dated 11/12-12-2001 in compliance with the orders/directions of the Hon'ble Commission.

As per information furnished by National Archives of India, all the files relating to disappearance of Netaji Subhas Chandra Bose including INA files transferred to it by Ministry of Defence are open for consultation and the Commission may depute their representative for consulting the same if so desired.

Sangita Gairola

(SANGITA GAIROLA)

Deponent



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NEW DELHI (INDIA)**

19 DEC 2001

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Verification

I, Sangita Gairola declare and affirm that what is stated above is true to my knowledge and no part of this affidavit is false and nothing material has been concealed.

Verified at New Delhi on 19th December 2001.

Sangita Gairola
(SANGITA GAIROLA)
Deponent

Deponent identified -

/ P. Bhatia
(19.12.2001)
(U.P. BHATTIA)
Under Secretary
Ministry of Home Affairs



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19 DEC 2001

**LIST OF FILES/DOCUMENTS/RECORDS AVAILABLE FOR THE
CONSIDERATION OF THE HO'BLE COMMISSION**

Sl. No.	File No.	Subject
1.	-	Record of Oral evidence-Vols. 1 to 17 (pages 1 to 4681) (details given in schedule-1 attached).
2.	-	Register of day to day working of the Netaji Inquiry Commission-1970.
3.	-	List of orders passed by the Chairman (Some orders signed by Chairman, Shri G.D. Khosla in original) (21.8.70-30.7.73)
4.	-	Shah Nawaz Khan-W-I (Exhibits produced by Shah Nawaz Khan-before the Commission containing original affidavit of Shah Nawaz Khan dated 22.12.70.
5.	-	Record of the Proceeding of the Commission-Vol.XX-Pages 5532-5907 (dated 17.12.73 to 2.1.74).
6.	-	Record of the proceeding of the Commission-Vol.XXI-Pages 5908-6486 (dated 14.1.74 - 22.1.74)
7.	-	Vol.XXIII-Verbatim proceeding of the sitting of the Commission held on 15.2.74, 21.2.74 and 22.2.74 (no page Nos. given).
8.	-	Proceedings of the Commission on the 11 to 14 March 1974-Vol.XXIV (No page nos. given).
9.	-	Order of the Chairman dated 18.9.73.
10.	-	Order of the Chairman dated 13.12.73.
11.	-	Order of the Chairman dated 30.7.1973.
12.	-	Chairman's order dated 27.12.1973.
13.	-	Commission's order dated 2.1.1974.
14.	-	Translation copies of the document filed before the Commission at Taipei.
15.	-	Death of Subhas Chandra Bose-Summary of Record's in the mounbatten diaries (WO 172F in P.R.O.) relating to the event. (two typed pages-2 copies).
16.	-	Nation's Homage- life and work of Netaji Subhas Chandra Bose.
17.	-	Material supplied by Government.
18.	-	Material pertaining to the reported death of Netaji Subhas Chandra Bose (list of Lok Sabha debates etc.)
19.	-	One Tape (received from Khosla Commission).
20.	-	Netaji in Germany-Book.



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21.	-	One Japanese Book relating to Subhas Chandra Bose.
22.	-	Netaji Mystery-Book.
23.	-	INA & Its Netaji-Book.
24.	-	Netaji Subhas Chandra Bose/Havashida-Book.
25.	-	The Indian National Army-Book.
26.	-	Type material-Bhavan's Book university-Netaji in Germany (A little-known chapter) by N.G. Ganguley.
27.	-	F.No.30/131/69-A&N-Netaji Subhas Chandra Bose Memorial to proposal regarding.
28.	-	A bundle of misc. loose papers containing copies of secret reports of Ministry of Defence and some papers from Embassy of India-Tokyo on the death of Netaji (details in schedule-II attached).
29.	1/10/70-NIC	Personal file of Shri Ghanshyam, Peon.
30.	3/13/73-NC Vol.1	Formosa visit.
31.	6/28/73-NC	Reference received from Shri Samar Guha, MP regarding appearing of Col. Habibur Rehman before NIC.
32.	6/13/72-NC	L.S. Qn. No.1007 for 2/8/72 Memorandum submitted to the Commission.
33.	4/35/71-NC	Summons issued to Genl. Wadalia, Qutab Stud. Agricultural Farm, New Delhi.
34.	3/2/70-NIC	Accommodation for having session at Vigyan Bhavan.
35.	25/13/70-Poll-II	Fresh Inquiry into the disappearance of Netaji Subhas Chandra Bose in 1945- demand for.
36.	25/16/70-Poll-II	Appointment of Commission of Inquiry for fresh inquiry into disappearance of Netaji- Misc. correspondence with members of public.
37.	1/12014/6/80-D.III	Reference received from Prime Minister's Office to consider a suggestion made by Shri Tatsuo Hayashida for bringing the ashes of Netaji Subhas Chandra Bose to India for permanent repose.
38.	VI/11034/149/96-D.III	Misc. references pertaining to death/disappearance of Netaji Subhas Chandra Bose.
39.	-	List of exhibits produced by the witnesses-Master Copy.
40.	-	List of files received from Ministry of External Affairs.
41.	-	List of Books produced by witnesses.
42.	-	List of documents asked for from the Govt. showing their position availability.
43.	-	List of Exhibits marked as "Com No" during the arguments session held at Vigyan Bhavan from



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44.	-	10.9.73 to 20.11.73. Parliament Questions on Netaji Subhas Chandra Bose's death answered during 1970.
45.	1/13012/17/82-D.III	Lok Sabha Starred Question Dy.No.3279 for 3.3.1982 by Shri A.K. Roy regarding item captioned 'on Netaji Trial'.
46.	1/18/71-NC	Personal file of Shri R.C. Sharma, Peon.
47.	1/19/71-NC	Personal file of Shri Shiv Charan Lal, Peon.
48.	1/20/70-NC	Personal file of S.K. Sengupta, Peon.
49.	1/26/72-NC	Personal file of Shri G.R. Nair, IAS.
50.	1/15/70-NC (Vol.III)	TA Bills of the Chairman.
51.	4/3(a)/70-NC	Urdu letter from Ram Nath Agarwal.
52.	4/4/70-NC	Abdul Razak (General letter for information).
53.	-	Report of S.A. Ayer on Fatal Aircrash of Netaji Subhas Chandra Bose at Taihoku (FORMOSA) on August 18, 1945.
54.	-	China Post- Newspaper report.
55.	-	Register showing attendance of the counsels of the commission appointed by the Chairman Netaji Inquiry Commission to assist the commission.
56.	-	Write off of Loss- Orders of Secy. about loss of tray.
57.	-	Trunk Call Register for Telephone No.386220.
58.	-	Telephone Rent Bill Register from 1972-74.
59.	-	Telephone Trunk Call Register from 1.4.72 to 30.6.74.
60.	-	Register showing purchase of Newspapers etc. for Netaji Commission.
61.	-	Rates- DLY & DLZ CARS.
62.	-	Pay Bill file of Shri R.L. Malhotra, Asstt.Secy., Netaji Inquiry Commission, for the year 1973-74. (1 st August 1973 onwards).
63.	-	Register showing purchase of Newspapers etc. for Netaji Inquiry Commission from 1.4.73.
64.	-	Pay Bill file of Shri U.S. Mittal, Asstt. Secy. - 1972-73.
65.	-	Communication from Shri M.L. Anand, PS to Chairman regarding arranging of Cars.
66.	-	Review of Telephone bills of 1973-74 & 1974-75.
67.	-	Law Commission of India, Forty-Third Report of Offences Against the National Security.
68.	13012/16/75.S&P (D.III)	Starred question D.No.1391 in Lok Sabha for 26 th Feb. 1975 regarding material for publication of book "Last days of Netaji" by Shri Samar Guha.
69.	13012/49/76.D.III S&P	Parliament question- by Shri Subhodh Hansda-



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		regarding preservation of Ashes/remains of Netaji brought from Tokyo.
70.	21015/932/78.D.III	Setting up of another Commission on Netaji Subhas Chandra Bose.
71.	12014/12/78.D.III.IS	Motion in the Lok Sabha by Shri Samar Guha for a fresh inquiry into the disappearance of Netaji Subhas Chandra Bose.
72.	13013/56/78.D.III (S&P)	Rajya Sabha 460 about the ashes of Netaji Subhas Chandra Bose.
73.	12014/6/79.IS.D.III	Letter from Sri. Pramanda Bajpayee about Netaji Subhas Chandra Bose.
74.	12014/9/79-D.III (S&P)	Regarding whereabouts of Netaji Subhas Chandra Bose.
75.	13012/79.D.III (S&P)	Unstarred Question No.6626 for 11.4.1979 regarding Ashes of Netaji Subhas Chandra Bose.
76.	12014/4/80.IS.D.III	Representation regarding the whereabouts of Netaji.
77.	12014/5/80.IS.D.III	Regarding whereabouts of Netaji Subhas Chandra Bose.
78.	12014/6/80.IS.D.III	Arrangements to bring ashes of Netaji Subhas Chandra Bose to India.
79.	12014/2/81-IS.D.III	Regarding Netaji Subhas Chandra Bose-Misc. representation.
80.	12014/1/91-IS.D.III	Letter from Shri Baburao .Paranjpai, M.P. (L.S.) address to P.M. regarding. Some point of Netaji Subhas Chandra Bose.
81.	-	Netaji Commission Report.

LIST OF CLASSIFIED RECORDS *

Sl. No.	File No.	Subject
1.	F.14/1/88-T	Regarding ashes.
2.	F.21/51/76-T	Regarding ashes.

* A view would have to be taken regarding declassification/claim of privilege with regard to these 2 files by the Government.



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<u>SL.NO.</u>	<u>VOLUME NO.</u>	<u>COPY NO.</u>	<u>PAGE NO.</u>
1.	I	II	1 to 405
2.	II	II	406 to 798
3.	III	I	799 to 1169
4.	IV	II	1170 to 1634
5.	V	III	1635 to 1982
6.	VI	II	1983 to 2478
7.	VII	III	2479 to 2630
8.	VIII	IV	2631 to 2794
9.	IX	IV	2795 to 3064
10.	X	III	3065 to 3251
11.	XI	I	3252 to 3602
12.	XII	I	3603 to 3802
13.	XIII	III	3803 to 4062
14.	XIV	I	4063 to 4290
15.	XV	III	4291 to 4463
16.	XVI	III	4464 to 4602
17.	XVII	I	4603 to 4681(Signed by Chairman sh.G.D Khosla

in original)



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Schedule - II

LIST OF LOOSE TYPED AND MISC. PAPERS RELATING TO NETAJI ENQUIRY COMMISSION.

- ✓1. Revolution - What is it ? Published by the Indian Independence League - Editor - Narayana Menon, Rangoon.
- ✓2. File No.251/I.N.A (The Penang Propeganda School).
- ✓3. The Indian National Army Second front of the Indian Independence movement. K.K. Ghosh M.A. Ph.D.
- ✓4. Extract Secret file No.74/I.N.A-No.28000/6/GSI(b)(iii), A brief review of the so called 'Indian National Army'.
- ✓5. File No.26/Misc./INA-A monthly illustrated Magazine on Indian Affairs in East Asia - on to Delhi Shanghai, China.
- ✓6. Report by Counter Intelligence Corps, GHQ AFPAC on death of Subhas Chandra Bose, dated 29th Sep., 1945.
- ✓7. Comparative Statement showing the requisitioning and supply of various documents as ordered by the Commission from time to time with comments the office.
- ✓8. File No. 255/INA (5 folders) Report of Hikari Kidan.
- ✓9. No. 335/INA Discourses of cultural and national subjects for the Indian National Army.
- ✓10. Netaji Inquiry Committee - Report from the Japanese Government.
- ✓11. No.332/INA-DO's and Don'ts for the officers and men of INA.
- ✓12. Statement by Dr.T.Tsuruta, Furukawa 173, Tsu City, Mis-Prefl, recorded on 15-5-56 at 10 A.M. at Tokyo.
- ✓13. Second front of the Indian Independence Movement.
- ✓14. No. 273/ INA Subhas Chandra Bose- (Extracts bearing on his alleged death).
- ✓15. Netaji Inquiry Commission Visit to Malaysia.(Originally signed letter from High Commission of India, Kualalampur to Shri D.K. Das, Secy.NIC)
- ✓16. Extract from Secret file No.471/INA.
- ✓17. Extract from Secret file No. 74/INA guide to GIFC.
- ✓18. File No.164/INA Report on the Indian Independence Movement.
- ✓19. His struggle and martyrdom-Tatsuo Miyashida .
- ✓20. No. 20/Misc./I.N.A . 282/I.N.A.
- ✓21. File No. 164/I.N.A. Report on the Indian Independence Movement.
- ✓22. F. No. 25/Misc./INA - A concise Report on Event that took place in Malaya since 8th December, 1941 and Particularly relating to Indian Community.



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NEW DELHI (INDIA)
19 DEC 2001

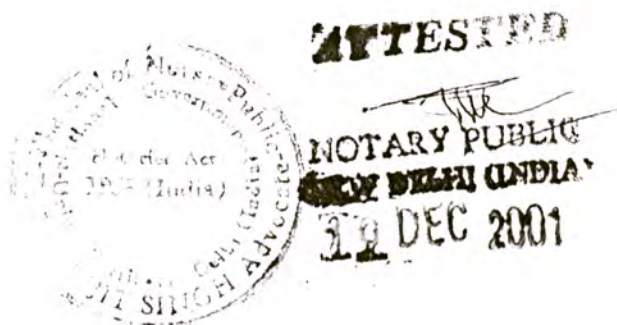
- ✓ 23. F.No.252/INA (2 folders) Nippon Guirillas and Gurkha Penang school for special Gurkha party.
- ✓ 24. 244/INA Rant of Jhansi Regt.(Five folders)
- ✓ 25. Re-interrogation of Capt. Habir-ur-Rehman.
- ✓ 26. File Cover No.291/INA-Magazines and Pamphamlets.
- ✓ 27. Complete F.No.1/Misc./INA-470/INA-How the first INA was born.
- ✓ 28. Netaji in Germany- N.G. Ganpuley.
- ✓ 29. 317/INA- Netaji's Message to Mahatma Gandhi.
- ✓ 30. Parch No. 23 Tarik 21-5-44.
- 31. No. 250/INA A note on relations between the Japanese and the I.N.A. dated 12th June, 1943.
- ✓ 32. No. 253/INA Bangkok Conference Reports.
- ✓ 33. Chakravarti - No.4/23/70-NIC dated 22nd July, 1971.
- ✓ 34. Trikha - Tentative itinerary of Commission's visit to Far Eastern Countries.
- ✓ 35. List of countries to be visited with dates and time at which the Session will start.
- ✓ 36. List of papers, files, Books etc. to be taken on tour to Far Eastern Countries.
- ✓ 37. Detailed itinerary for visit to Rangoon, Kualalumpur, Singapore, Penang, Bangkok, Saigon and Hongkong.
- ✓ 38. Evidence Tokyo - 30 371
- ✓ 39. D.O No.3/11/71-NC.
- ✓ 40. Commissioner's witness.
- ✓ 41. Narayana Karuppiiah.
- ✓ 42. Paper presented by John Jacob Singapore-1.
- ✓ 43. Authority - G.D. Khosla.
- ✓ 44. NIC - Visit to Singapore - October 18 to 23, 1971
List of Witnesses - Programme.
- ✓ 45. List of witnesses in Penang.



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79 DEC 2001

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- ✓46. Papers relating to Grant of Pension to I.N.A. Personnel.
- ✓47. Press clippings from local english papers submitted for Ambassador's perusal.
- ✓48. F.No.17/Misc./I.N.A. - The landing of the Japanese Agents from a submaries on the Kathiawar Coast on the night of 22/23 Dec., 1943.
- ✓49. F.No.19/Misc./I.N.A. - Dutt Ram (Dulari Dube)- General Mission.
- ✓50. F.No.16/Misc./I.N.A. - Statement of H.L. Mehta.
- ✓51. F.No.27/Misc./I.N.A. Chalo - Delhi for September, 1944.
- ✓52. 295/INA - Sardar Pritam Singh, B.S.D.
- ✓53. No.6/Misc./I.N.A. - Short History of subversive activities directed to Indian P.W. in Elurope 1940-45.
- ✓54. No.243/I.N.A.- Order of Battle of the Indian Puppet forces in Burma.
- ✓55. F.No.245/INA Field Propaganda 'Unit' -Parchar Dal.
- ✓56. Sardar Pritam Singh B.S.D. No. 295/INA.
- ✓57. 250/INA Fill Party. --
- ✓58. No.6/Misc./INA Short history of subversive activities. - *same as S/N-53*
- ✓59. No. 22/Misc./INA - A note on Puri Party.
- 60. Parch No. 21.5.44 - *same as S/N-30*
- ✓61. 29/Misc./INA- Proclamation of the Provisional Government of Azad Hind.
- ✓62. Tokyo Papers Exhisit No.9.



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JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

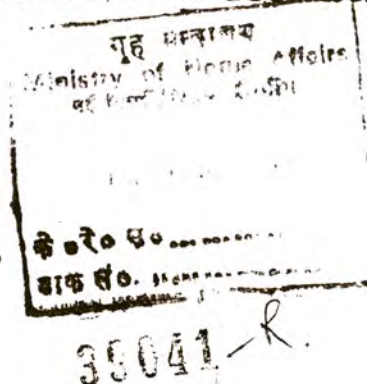
Fax :
0091-033-252-2765

Phone:
Chairman -- 252-2835
Secretary -- 252-2767
Officer on
Special Duty -- 252-2765
Office -- 252-2766/68
e-mail:
jmcinsch/val.3.vsnl.net.in

No. JMCI/ Meeting-Proceedings(Follow Up)/ 48(Vol.III)/453
Kolkata, dated, December 5, 2001

From : Shri P.K. Sengupta
Secretary

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

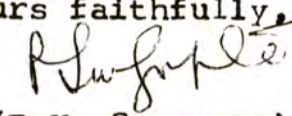


S i r,

I am directed to refer to Commission's letter No. JMCI/Meeting-Proceedings(Follow Up)/48(Vol.III)/263 dated August 20, 2001, sent to you by Registered Post, and to state that the files which are reported, in the affidavit dated February 27, 2001 of Smt. Sangeeta Goirola, Joint Secretary (Internal Security-I) Ministry of Home Affairs, Government of India, to have been subsequently located have not yet been sent to the Commission though called for in its said letter dated August 20, 2001. The time limit of eight weeks fixed by the Commission for sending those files, expired long ago.

I am, therefore, directed to request you to cause production of those documents before the Commission on December 19, 2001 at 11.00 O'Clock in the forenoon during the sitting of the Commission in Committee Room 'C' of Vigyan Bhavan Annexe, New Delhi, by a competent officer of your Ministry.

Yours faithfully,


(P.K. Sengupta)
Secretary

4213/ISUSD-IV/01
18/12/01



12/12/01

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16/12
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By registered
post with A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

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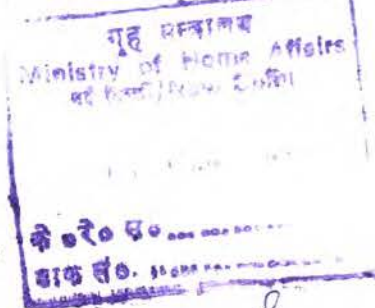
Fax :
0091-033-252-2765

e-mail :
jmcinseba@cal3.vsnl.net.in

No. JMCI/ Meeting-Proceedings(Follow Up)/ 48 (Vol.III)/453
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To : The Secretary,
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Yours faithfully,

P.K. Sengupta
(P.K. Sengupta)
Secretary

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18/12/01

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REGISTERED POST WITH A/D.

No. JMCI/Meeting-Proceedings(Follow Up)/48(Vol. III)/453
SE—5

Dt: 5.12.2001

भारत सरकार सेवार्थ
ON INDIA GOVERNMENT SERVICE

Justice Mukherjee Commission of
Inquiry for Inquiry into the
alleged disappearance of
Netaji Subhas Chandra Bose
11A, Mirza Galib Street, 3rd Floor,
Block 'B', Calcutta— 700087

To
The Secretary
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.



5363
8/12



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No.I/12014/13/2000-IS(D.III)
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya
**

New Delhi, the 20th December 2001

To,

Shri P K Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry
'B' Block (IIIrd Floor)
11/A Mirza Ghalib Street,
Calcutta -700 087

Subject:- Submission of files referred to in the affidavit dated 27th February 2001
of Smt. Sangita Gairola, Joint Secretary (IS-I), M.H.A- regarding.

...

Sir,

I am directed to refer to the Commission's letter No. JMCI/Meeting-
Proceedings (Follow Up)/48 (Vol. III) 453 dated 5th December 2001 on the subject noted
above and to submit the three files referred to in the said letter. The descriptions of these
files are mentioned below: -

Sl. No.	File No.	Subject of The file	Page Nos.
1. ✓	I/12014/6/90-IS (D.III)	Dispute regarding ashes of Netaji Subhas Chandra Bose- Bring these ashes To India- controversy about Whether Netaji is still alive- Reference from PMO	20 pages of Note portion & 148 148 pages of correspondence & 35 pages appendix to Correspondence.
2. ✓	I/12014/9/77- IS (D.III)	No-Day yet named Motion regarding Report No 74 of the Commission of Inquiry into the disappearance of	30 pages of Note portion & 480 pages of correspondence
3. ✓ (i)	31/2/74-Poll (D.III)	Netaji Inquiry Commission- Follow-up action.	4 pages of Note portion & 39 pages of correspondence.
✓ (ii)	Pt. 31/2/74-Poll (D.III)	Examination of Netaji Inquiry Commission Report.	6 pages of Note portion & 45 pages of Correspondence.

2. Kindly acknowledge receipt.

Thanking You

Yours faithfully

(V.P.BHA)

Under Secretary to the Govt

Received the above
three files contents
verified -
Chatterjee
20/12/01
Enclosure:- Said 3 Files

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A note on the copy of purported file No. 915/11(C)/6/96-Pol. regarding "Disappearance/death of Netaji Subhas Chandra Bose" received from Political Section of P.M.O. is placed below along with the copy of the said file for kind perusal and orders.

31.6.2001
(M. Roy)

Officer on Special Duty

Secretary

Hon'ble Chairman

The file no. 915/11/C/6/96 Pol. on the subject "Disappearance/death of Netaji Subhas Chandra Bose" received from the Prime Minister's Office (Political Section) is placed below for perusal of its contents and necessary orders. Notes prepared by the OSD on the contents of the file are also placed below for favour of perusal.

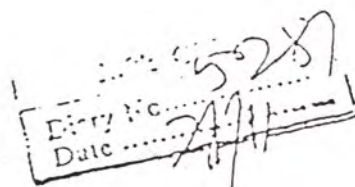
The notes dated 28.2.96 at NP 1 of the file refers to the Rajya Sabha starred question (DY. no.2198) by Sri K.R.Malkani, M.P. which was due for answer on 6.3.96. Para (B) of the question was whether the Govt. of India would press the Governments of U.K., U.S.A., Japan and Taiwan to make public the confidential part of their respective inquiries into the subject and the para(O) of the question was whether the late Mr. Nehru's 'secret' file on the subject containing more than 40 documents, at one time held by Mr. Md.Yunus would be retrieved and made public. It appears from the notes of the PMO that Ministry of Home Affairs was informed that the PMO had no information other than what could be available with MHA/MEA/Cabinet Secretariat.

It is not known what answers to these questions were given. It may be mentioned here that the Commission recently visited U.K. and studied declassified files in the British Library, Public Records Office, Bodleian Library of Oxford University and Hartley Library of Southampton University. During such visit the Commission came to know from the Foreign and Commonwealth Office in London that some files/documents of the Indian Political Intelligence were still classified and as such those files were not accessible.

In the materials and records before the Commission there are references to Nehru's files in the custody of Md. Yunus who has recently died and files and records

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Dr. Shankar Dayal Sharma
His Excellency the President of India
Rastapatl Bhavan
NEW DELHI.



Respected President,

We are now on the threshold of the Birth Centenary of Netaji Subhas Chandra Bose. Now is the time that the people knew, - what really happened to Netaji.

II. THE BURNING QUESTION

For the last fifty years Indian people are anxious to know all about Netaji's enigmatic disappearance and destiny.

We sum up below our puzzles over 'so called evidence' dished out for decades for public consumption about reports of alleged death of Netaji and we now depend on your wisdom to initiate transparent action to resolve the lasting conundrum.

INFORMATION & EVIDENCE ON THE ISSUE OF NETAJI'S DISAPPEARANCE

1. On August 23, 1945, Tokyo Radio announced that Subhas Chandra Bose perished in Air crash at Taihoku; his body had been flown to Japan.
 2. A later broadcast by the same Radio announced that his body was cremated at Taihoku. The two contradictory broadcasts, thus raised a mist of an ab initio suspicion.
 3. It is publicly known that Mahatma Gandhi, Pandit Madan Mohan Malaviya, Maulana Abul Kalam Azad and even Pandit Jawharlal Nehru (at that stage) - did not trust this Tokyo report. In fact Gandhiji and Malaviyaji had asked Bose family in Calcutta "not to perform Sradh Ceremony".
- 21/57
17/11/57

22-
The AICC in its first Session (after 1942) declined to adopt any obituary resolution on Netaji.

4. On January 2, 1946 Gandhiji made a public statement: "I believe Netaji is alive. He is hiding somewhere".

Gandhiji later met Habibur Rahman, but he never swerved from his conviction that Netaji's death, as reported, was not true and it was a camouflago.

In 1989 a document was found in the Princeton University, USA. According to this document of 22nd July 1946, Mahatmaji had never altered his belief in Netaji being alive and in Russia.

5. Two entries in Lord Wavell's (then Viceroy of India) 'Diary' recorded that the Viceroy did not trust the Tokyo Report of Bose's death.

STUDIOUS SILENCE

6. The Government of Japan did not officially confirm Netaji's reported death in 1945.

7. Nor did the Government of U.K or the Government of Wavell in India issue any official confirmation of the alleged event of Netaji's death.

8. Four separate on-the-spot inquiries at Taihoku were carried out immediately after the report of the alleged aircrash death of Netaji. These were by -

- a) Genl. Mac Arthur of the U.S. Pacific Army;
- b) Adml. Mountbatten, Chief of the S.E. Asian Allied Army;
- c) British Global Counter Intelligence - combined Services

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- 7 -

Intelligence Centre (CSDIC); and,

d) Mayor of Taipei (Taihoku).

These were in 1945 with the aim of finding out actual facts about the reported incident.

9. All these Agencies submitted their report to their respective Governments/Authorities by the end of 1945. Most intriguingly, these reports and other findings were never published in the last fifty years. What is more baffling, the Government of India had not asked for these reports - never seemed to want to know about them - during the same half a century.

10. The image of Netaji as the unequalled freedom fighter has always been supreme, in the minds of the Indian people. All patriotic people of India - breaking all barriers of caste, creed, language and religion - agree emotionally on the supreme national stature of this majestic revolutionary freedom fighter.

After India was free in 1947 the people eagerly expected that the Government would set up an independent inquiry to find out the truth about Netaji. However, for over a decade till 1956 - the Government of India had chosen to remain silent over this nationally sensitive issue.

11. In 1956 the Calcutta Citizens Forum set up an unofficial Inquiry Committee with Dr. Radhabinbode Pal, a noted Jurist and Ex-Judge of Tokyo War Criminals Trial, as its Chairman.

It appeared as if to scuttle this non-official move, the then Prime Minister, Pandit Nehru promptly formed an Official Committee under the Chairmanship of Shah Nawaz Khan to 'inquire into the alleged death of Netaji Subhas Chandra Bose'.

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12. But this Shah Nawaz Committee was crippled in its very birth, and that too, unfortunately by Panditji himself. This Committee was denied any judicial power. Panditji did not allow this Committee even to visit Taihoku in Taiwan for an on-the-spot investigation.

13. History records another strange event. While the Shah Nawaz Inquiry was in process, Prime Minister Nehru made an unexpected statement in the Parliament:

“... .. the fact of Netaji Subhas Chandra Bose's death, is, I think, settled beyond doubt”.

If the Prime Minister of the country was so sure about the event, what more use was there for an Inquiry into its truth! After this statement of Nehru, the Inquiry by Shah Nawaz Committee turned wholly Infructuous, almost by mandate.

14. The studious uncertainty and the veil cast by officialdom, kept the minds of all patriotic people very unhappy for decades. The people wanted to know the reality, the truth and destiny of their beloved leader, Netaji.

15. Twenty six years had then elapsed after 1945. In an unprecedented move, the majority Members of the Parliament submitted a joint Memorandum to the Government to Mrs. Indira Gandhi demanding a fresh judicial inquiry. The results was the one-man Inquiry Commission, set up in 1970, with Justice G.D.Khosla as its Chairman.

16. The one-man Khosla Commission was an exercise in violation of all judicial norms. The Commission's Report was found full of engineered holes and improprieties. It was laden with deliberate unethical aberrations.

Finally there was the unprecedented Anticlimax:

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Justice Khosla was found to offer an unconditional apology before a Calcutta Court for his numerous derogatory remarks against Netaji in his Report.

The upshot of all these was, - the Khosla Commission's Report lost all its credibility; it was a discredited mass of heaps of papers. There was severe criticism of the report inside the Parliament.

Justice Khosla was accused of personal motivation for his refusal to accept "the report of the Inquiry" made by the Mayor of Taipei in 1945 on the alleged event of Netaji's death in the Taihoku air crash when the Commission visited Taipei (Taihoku) in Taiwan after 1970.

The Mayor of Taipei's Report was crucial; it was a contemporary investigation; it was an inquiry on-the-spot; and the Inquiry had involved noted personalities of Taihoku, who were in full knowledge of the situation in August 1945.

The very fact that Justice Khosla chose to ignore this vital Inquiry Report was enough to question his impartiality.

Nevertheless, this Khosla Report was adopted by Parliament during Emergency in 1975 without any discussion when most of the opposition Members of Parliament were in detention.

17. The issue of Netaji Inquiry was revived in 1978. Morarji Desai, the then Prime Minister disapproved the Reports, both of Shah Nawaz Committee and of the Khosla Commission. In a Statement in Lok Sabha on September 3, 1978, Morarji Desai declared, -

"... .. reasonable doubts have been cast on the correctness (of finding) reached in the two Reports and various important contradictions in the testimony of the witnesses have been noticed. Some further contemporary records have also been made available. In the light of these records, the Government finds it difficult to accept that the earlier conclusions are decisive... .."

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18. Morarji Desai Government fell soon; and the succeeding Governments preferred to send the issue into another spell of oblivion. No follow up action on the Prime Minister Morarji's utterance in Parliament was taken.

19. The issue of disappearance of Netaji was raked up afresh by the then President, Shri R.Venkataraman, who wrote to Shri V.P.Singh in 1991: "to take up the matter". In compliance, Shri Singh asked his Minister for External Affairs, Shri I.K.Gujral, to proceed with the matter. However, before concrete steps could be taken, the Government of Shri VP Singh had to quit.

20. The President (Shri R.Venkataraman) renewed the matter with the next Prime Minister, Shri Chandra Sekhar. His Minister for External Affairs promptly initiated to move for a high level investigation into the issue of Netaji's disappearance. He wrote on March 26, 1991:

"..... this Ministry has already initiated follow up action in regard to a high level investigation into 'secret documents' on disappearance of Netaji Subhas Chandra Bose"

But this move was stalled because of a change in the Government at the Centre.

21. It is learnt that, before retirement, President, Shri R.Venkataraman had requested Prime Minister Shri P.V.Narasimha Rao, on two occasions, to pursue action in regard to the matter of Netaji's inquiry.

We have an impression that the Prime Minister had not been posted with the progress of events of which we have attempted an outline in the foregoing paragraphs. All facts and developments over four decades regarding the moves on Netaji Inquiry were apparently not brought to PM's attention. We surmise this from the fact that

had decided to confer Bharat Ratna on Netaji with the word "Posthumously" attached to the citation.

We believe that you would have avoided the positive appellation "Posthumously" if you had been fully posted with the fact that what had happened to Netaji still remained unsettled and that a case on the issue was pending in the Supreme Court.

22. Morarji Desai as Prime Minister had preferred that an Investigative inquiry should be conducted into all documents, records, information and evidences connected with the situations of the alleged death of Netaji. He was not in favour of another 'public inquiry' into the issue. His reasons against a further public inquiry were:

All the important Japanese personalities like (a) F.M. Tarauchi, Chief of the Southern Command of the Japanese Army; (b) Genl. Isoda, Head of the Hikari-Kikan, a Liaison Organisation working between the Government of Japan and the Provisional Government of Free India; (c) Col. Tada, a Special Officer of Tarauchi's Headquarter; and (d) the Chief of the War time Imperial Staff of the Japanese Army at Tokyo - who had all been crucially involved in execution, of Netaji's Plan of escape from South East Asia - were by then dead.

23. In fact, all the above contemporary documents together with the findings of the four inquiries made in 1945 (already referred to) by the U.S. Pacific Army; Adml. Mountbatten; U.K. Counter Intelligence - CSDIC; and the Mayor of Taipei - are lying in the archives of the Governments of U.K., USA and Taiwan. The above four Reports still remain unpublished.

We hope it should be possible for the Government of India to take up seriously with the Governments concerned for a factual

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knowledge of what happened and so resolve the mystery which shrouds disappearance of Netaji.

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24. Furthermore, many intelligence Reports were found with the Government of Wavell which presumed Netaji's presence in Russia in 1946. These intelligence reports of 1946 find further corroboration by the documents found in the 1975 British Publication of "Transfer of Power - 1942-47".

A 'top secret' report in this publication clearly shows that the Government of Wavell and the Government of U.K. did not believe the Tokyo Report of Netaji's death in the alleged aircrash at Taihoku. On the contrary, it concluded that

"Leave him (Bose) where he is, don't as for his release. Bose might be welcomed in Russia".

It is also known that, except Col. Habibur Rahman, all the high ranking Japanese and INA witnesses unanimously deposed before the Shah Nawaz Committee and the Khosla Commission what after surrender of Japan in 1945, Netaji's destination was Russia.

25. Recently a team of Asiatic Society Researchers visited Russia. This team claims to have acquired some important documents and suggestive clues about much more regarding the question of Netaji Subhas Chandra Bose's entry into Soviet Russia after fall of Japan in 1945.

However, the Team of Scholars from the Asiatic Society were not extended access to Russian archives. Curiously, these archives are now open to USA and other European Scholars. But the Russian authority demanded that unless the Government of India wrote to the Government of Russia, the Indian team could not have entry into the Russian archives. This raises an obvious suspicion that the Russian Archives Authorities were working under instructions.

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26. Accordingly, important representatives of the Asiatic Society, including one member of the research team, had been advised by the Minister of External Affairs, Sri Pranob Mukherjee to see him in Delhi. Mr. Mukherjee was requested by the Authority of the Asiatic Society to write to the Government of Russia to permit the Indian Research Team to work freely in the Russian archives with regard to the Netaji issue.

Adding one more enigma to the series of curious events on the issue for last fifty years, the Minister of External Affairs has failed to respond, so far, to this request. It is needless to stress that the Inquiry and the request of the scholarly team to our External Affairs Minister for access into the documents in Russia - reflects the burning desire of the Nation. In the year of the Birth Centenary of Netaji, - which all people and all political parties are desiring to celebrate, the least that would be expected of your Government is a patriotic cooperation for successful inquiry about Netaji's disappearance.

27. To add another evidence to the misty situation which has been studiously nourished - we mention the existence of the "Secret File No.F.23 (156)/51-PM", maintained as a Special Secret File by Pandit Nehru on the issue about Netaji's disappearance. This file has been placed as exhibit in the course of proceedings of the Khosla Commission. After Pandit Nehru's demise this "Secret File" was maintained by Md. Yunus. There is a Note attached with this file which shows that some 40-45 documents of this file have been "either destroyed or missing". The Inquiry should also find out what precisely happened to these documents, their exact nature, and how they were "destroyed or missing".

Finally, of course, the question remains how or why such documents were destroyed or how they were missing - and whether this was done under instructions.

III. OUR SUBMISSION

This is the Birth Centenary Year of Netaji. All patriotic people of India are emotionally roused with enthusiasm. Ordinary citizens apart - there is hardly any political party which does not hail Netaji as the greatest revolutionary hero of our freedom struggle.

We should consider it as our sacred duty to resolve the national issue of the reality of the 'great leaders destiny'. It behoves your Government to work seriously to find out the truth about Netaji, to let our countrymen know what exactly happened to their beloved leader.

We submit further, the manner in which the issue of Netaji's disappearance has been shelved or camouflaged, does not add glory to our country or credibility of our Government.

We, therefore, appeal to you, to set up immediately an Investigative Inquiry.

And for this purpose, and the success and transparency of such inquiry, the Government should take the following steps:

a) Write to the Governments of U.K., USA and Taiwan to publish the hitherto unpublished reports of the inquiries made in 1945 by Adml. Mountbatten, CSDIC, Genl. Mac Arthur and the Mayor of Taipei and also the Government of U.K to give access to the Investigative team to the classified documents preserved in the archives of U.K. about Netaji.

b) Request the Government of Russia to extend equal and free access to the files/papers of KGB, Comintern, Soviet President and all other files in their archives for research work by Asiatic Society and other Indian teams.

- 47 -

255

c) Md. Yunus and others who looked after Pandit Nehru's file No.F.23(156)/51-PM should be asked to deliver the file and investigate what was the exact nature of the files/documents "destroyed or missing".

The documents submitted to the Shah Nawaz Committee and Khosla Commission should be re-examined by the Investigative Inquiry.

We would urge on you to endow this high level Investigative Inquiry Committee with full judicial authority to go through and seek all documents for their review and judgement on the issue - facts, situations, circumstances and the reality - related to the "disappearance of Netaji Subhas Chandra Bose".

The Netaji issue is a scar on the rectitude of our administration. People may be dumb but they are not witless. They are all watching the lukewarm treatment - the lack of candour and will - meted out to our national hero and supreme patriot Netaji Subhas Chandra Bose. Permit us to bring to your attention that if today we fail to unearth the truth - all of what exactly happened to Netaji after fall of Japan in the last Great War, our countrymen, and of course future generations, are bound to hold it against us. They will be entitled to suspect motives, - read not merely incompetence, but also insincerity - with which the Netaji issue has been and is being handled.

We appeal to your wisdom to display the required political will to get to the bottom of the issue and do a national service which will earn you the gratitude of the nation and a record in history in letters of gold.

We fervently believe, the country is at cross-roads. And it is right now and here that it has thrown to you and your Government both an opportunity and a challenge. If in this centenary year your Government tell the country that it means business and not merely

556

- 12 -

lipservice to honour the Maha Kshatriya of the struggle for our national liberation - it would earn the lasting respect of the whole nation.

With regards namaskar,

Yours sincerely,

Nov 20 1996

Ramkishore Hegde

59/C

REGISTERED POST

No.VI/11034/118/98-IS(D.III)
Government of India
Ministry of Home Affairs
.....

New Delhi, dated the 12th March, 1999.

To,

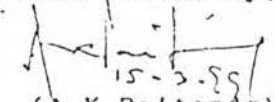
Shri D.C.Mohanty,
Senior Central Govt. Standing Counsel,
Orissa High Court,
Jhanjirimangala,
CUTTACK.

Sir,

Please refer to your letter dated 27.10.98 addressed to the Principal Secretary to the Prime Minister regarding Writ Application O.J.C. No. 14400/98 filed by one Dr. S.S.Mohapatra in the Hon'ble High Court of Orissa.

2. Having regard to the directions of the Hon'ble High Court we would like to mention that as per information furnished by the Government of United Kingdom, the name of Netaji Subhas Chandra Bose was not included in any list of war criminals drawn up by them. You may kindly apprise this position to the Hon'ble Orissa High Court.

Yours sincerely,


(A.K.Paltandy)
Director (IS.I)

✓ Copy to Smt. Rashmi Verma, Director, Prime Minister's Office with reference to PMO U.O.No.915/11/C/6/98-Pol dated 16.11.98. ✓ 59/C

96

Pro 15/3/99
us (Pm) p. III
16/3

211017(4)199
15/3/99

258

No. I/12014/13/2000-IS(D.III)
MINISTRY OF HOME AFFAIRS
IS DIVISION (US D.IV)

* * * *

Enclosed please find a copy of letter No. JMCI/Records/N.Delhi/99-2000/37/305 dated the 18th September, 2001 from OSD, Justice Mukherjee Commission of Inquiry, regarding Rajya Sabha Starred Question No. DY 2198 by Shri K.R. Malkani, MP, due to answer on 06.03.1996 regarding disappearance/death of Netaji Subhas Chandra Bose.

2. It is requested that a copy of the reply to the Question may please be made available to us to enable us to inform the Commission suitably.

3. This may be treated as 'URGENT'.

V.P. Bhatia

(V.P. BHATIA)
Under Secretary (D.IV)
27.2.2002

DO (D.III)

As desired, a copy of reply to the question referred to above is enclosed pl.

M. Bhatia
27/2/02

us (D/IV)

1/11/28/2

To m

259

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700 087

Phone:

Chairman - 26, 27

Secretary - 26, 27

Public Room - 26, 27

Sp. Address - 26, 27

Office - 26, 27

No. JMCI/ Records/N.Delhi/99-2000/37/305 Calcutta, dated, the 18th September '01

From: Shri M. Roy,
Officer on Special Duty

REGISTERED WITH A/D.

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

S i r,

I am directed to refer to Rajya Sabha Starred Question No. DY.2198 by Shri K.R. Malkani, M.P. due for answer on 06.03.1998 regarding disappearance/death of Netaji Subhas Chandra Bose as mentioned at n.s. page 1 of P.M.O.'s file No.915/11/C/6/96-po (copy enclosed) and also to refer to the letter dated November 20, 1996 of Shri Ramkrishna Hegde addressed to the then President of India containing, inter alia, the suggestions to solve the mystery of disappearance of Netaji Subhas Chandra Bose, appearing at cor. pages 49 to 60 of the aforesaid file of the P.M.O. (copies enclosed) and to request you to let the Commission know immediately what action was taken on the said Rajya Sabha Starred Question as also on the said letter of Shri Hegde indicating the results of the said actions.

I am further directed to refer to the letter dated March 12, 1999 of the Ministry of Home Affairs, Govt. of India appearing at Cor/page 196 of the aforesaid file of the P.M.O. (copy enclosed) and to request you to send to the Commission, within six weeks from the date of receipt of the letter, an authenticated XEROX copy of the information furnished by the Govt. of the United Kingdom as stated in the said letter dated March 12, 1999.

Enclosures 2 Fourteen pages
as stated above.

Yours faithfully,

(M. Roy.)
Officer on Special Duty

प्राप्ति तथा प्रेषण अनुभाग में प्र.प.
Received in the R&I Section

4/10/1996

मिलाई / Case No. 34

राज्य मंत्री, 1/10/1996

कि. सा. सं. 1/10/1996

लोक सभा/राज्य सभा

सारांशित प्रश्न संख्या:

अतारांकित प्रश्न संख्या: 590

॥ 6-3-1996 को उत्तर के लिए ॥

गृह मंत्री

गृह मंत्रालय में राज्य मंत्री ✓

गृह मंत्रालय में राज्य मंत्री

गृह मंत्रालय में राज्य मंत्री

॥ श्री ~~पंकरज~~ चव्हाण ॥

॥ सैयद सिद्दique रजी ॥ एस. ॥ ✓

॥ श्री ० एम० कामसन ॥ एम. ॥

॥ श्री रामलाल राही ॥ आर. ॥

सुभाष चन्द्र बोस के अदृश्य होने/उनकी मृत्यु की जांच पड़ताल

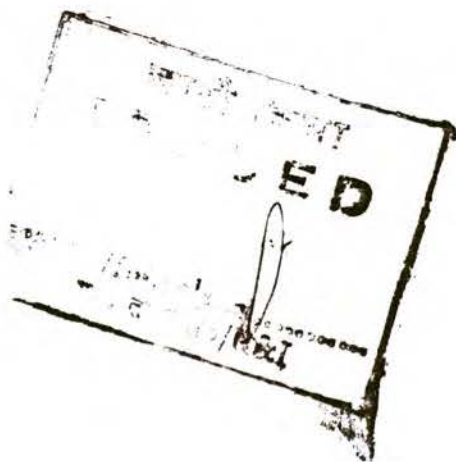
590. श्री के.आर. मलकानी: क्या गृह मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या सरकार को इस बात की जानकारी है कि सुभाष चन्द्र बोस के अदृश्य होने/उनकी मृत्यु से संबंधित परिस्थितियों का अभी तक प्रामाणिक तौर पर पता नहीं लगाया गया है;

(ख) क्या सरकार युनाइटेड किंगडम, संयुक्त राज्य अमेरिका, ताइवान और जापान पर इस बात का दबाव डालेगी कि वे इस विषय से संबंधित उनकी जांचों के गोपनीय निष्कर्षों का खुलासा करें; और

(ग) क्या इस विषय से संबंधित 'गुप्त' फाइल, जिसमें चालीस दस्तावेज शामिल हैं; को पुनः प्राप्त करके, इसका खुलासा किया जाएगा?

॥ क॥, ॥ ख॥ और ॥ ग॥: इस तथ्य को ध्यान में रखते हुए कि नेताजी सुभाष चन्द्र बोस के गायब हो जाने/मृत्यु से संबंधित परिस्थितियों की जांच पहले ही दो जांच आयोगों द्वारा की जा चुकी है, सरकार ने यह महसूस किया है कि अब और जांच कराने से कोई लाभ नहीं होगा ।



papers - 2

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उत्तर का मसौदा / DRAFT REPLY
(पंक्तियों के बीच दोहरा अन्तर छोड़कर पृष्ठ के आधे भाग में टाइप कीजिए)

(TO BE TYPED IN HALF MARGIN DOUBLE SPACE)

राज्य सभा / RAJYA SABHA

तारांकित/अतारांकित प्रश्न संख्या 590

Starred/Unstarred Question No.

द्वारा श्री/By Shri **K.R.MALKANI, M.P.**

उत्तर देने की तारीख

To be answered on the **06.03.1996**

(शीर्षक) **INQUIRIES INTO THE DISAPPEARANCE/DEATH OF SUBHASH**
(Heading) **CHANDRA BOSE.**

प्रश्न/QUESTION

590. SHRI K.R.MALKANI : Will the Minister of HOME AFFAIRS be pleased to state:

a) whether Government are aware that the circumstances of the disappearance/death of Subhash Chandra Bose have not been authentically settled to this day;

b) whether Government would press the Government of UK, USA, Taiwan and Japan to make public the confidential findings of their respective inquiries into the subject; and

c) whether the 'secret' file on the subject containing more than forty documents will be retrieved and made public?

उत्तर/ANSWER

(a), (b) & (c): In view of the fact that the circumstances of the disappearance/death of Netaji Subhash Chandra Bose have already been looked into by two Commissions of Inquiry earlier, it has been felt by the Government that no useful purpose would be served by ~~re-~~
~~opening the issue any longer,~~
holding yet another enquiry.

2

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700.087

Phone:

Chairman - 216.10.10
Secretary - 216.2.10
Officer on
Special Duty - 216.2.10
Office - 216.2.10

(732/2001) LS DIV
4/6/2001

REGISTERED WITH A/D.

No. JMCI/Records/N.Delhi/99-2000/37/108. Calcutta, dated, the 28th May, 2001.

From : Shri M. Roy, IAS (Retd.),
Officer on Special Duty

To : The Secretary,
Ministry of Home Affairs,
Govt. of India, North Block,
New Delhi -110001.

गृह मंत्रालय
Ministry of Home Affairs
नई दिल्ली/New Delhi

1 JUN 2001

के.रे. सं. 17212 - R
डा. सं. 18(w)

Sir,

I am directed to state that a xerox copy of the report captioned, " Sleeping Bomb lies in Netaji Vault" sent by Shri Chandan Nandy from New Delhi on March 25, 2001 and published in the Telegraph, Calcutta on March 26, 2001 was furnished to the Secretary, Cabinet Secretariat Government of India with the Commission's letter dated 28.03.01 followed by a reminder dated 03.05.2001. In terms of the reply received from the Cabinet Secretariat for Government of India in their letter No. 10/SP S-II/2001(20)- 306 dated 17.05.2001 (a xerox copy whereof enclosed), I am, further directed to send herewith to you a xerox copy of the aforesaid report of Shri Chandan Nandy for your kind perusal and furnishing a detailed report thereon as expeditiously as possible.

Enclo : As above.

Yours faithfully,

(M. Roy) 28.5.2001
Officer on Special Duty

LS(DIV)
lm
4/6
To me

63
JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Calcutta 700 087

Phone:

Chairman - 216 210 00
Secretary - 216 210 01
Officer on
Special Duty - 216 210 02
Office - 216 210 03

No. JMCI/

Calcutta, dated, the

264

No.10/SPS-II/2001(20)-306
Cabinet Secretariat
Government of India



Room No.7, Bikaner House (Annexe)
Shahjahan Road
New Delhi - 110011

Dated : May 17, 2001

To.

Shri M. Roy, IAS (Retd.)
Officer on Spl Duty
Justice Mukherjee Commission of Inquiry,
'B' Block, (3rd Floor)
11/A Mirza Galib Street
Kolkata - 700087

25/5/01

Sir,

I am directed to acknowledge receipt of your letter No.AMCI/Records/N. Delhi/ 99-2000/37/58 dated 03.5.2001 and to request you that since Ministry of Home Affairs is the appropriate authority to deal with the subject, you may kindly like to correspond with them in this regard.

Yours sincerely

17/5/01

(ARVIND SAXENA)
DIRECTOR

The Telegraph

Sleeping bomb lies in Netaji vault

FROM CHANDAN NANDY

New Delhi, March 25: If declassified, a set of pre-Independence documents on Subhash Chandra Bose, locked away in the vaults of the Intelligence Bureau and the home ministry, could unleash "public disorder", especially in West Bengal.

These documents, essentially inputs provided by British Intelligence to the then Cabinet, does not concern Netaji's mysterious disappearance. Nor do the documents provide any clue to his so-called incarceration in a Soviet "gulag" when Josef Stalin was in power.

The Cabinet papers, marked "Top Secret", contain several references to Netaji, which, according to top sources in the Vajpayee government, "would lower his es-

teem in the eyes of the public".

Because of the very nature of the contents — seven to eight Cabinet notes prepared on the basis of information provided by British Intelligence — the file will never be declassified by the government, which claims complete privilege over it.

This means that the Centre will try and keep the matter under wraps even if the Justice Manoj Kumar Mukherjee Commission, instituted by the Vajpayee government in November 1999 to probe Netaji's death and the circumstances leading to it, applies pressure for their submission before the one-man panel.

"As of now there are no plans to hand over the documents to the Mukherjee Commission. There is no question of declassifying the papers," the sources said.

They added that "under no circumstances" will the government make public the pre-Independence documents, though their declassification would also put to rest, "once and for all", speculation that the much-talked about papers have anything to do with Netaji's death, disappearance or imprisonment in a Soviet prison.

Refusing to disclose the nature of the information contained in the British Cabinet papers, the sources said the remarks against the commander of the Indian National Army and Forward Bloc leader are "personal", but "have the potential to unleash large-scale public disorder, especially in West Bengal".

Besides, in recent years, the BJP has been attempting to project Netaji as an icon of its own. To some extent, the party has already

used Netaji as a counterfoil to the larger-than-life images of Mahatma Gandhi and Jawaharlal Nehru, projected by the Congress. Netaji's "patriotic zeal" and his "militant perspective" have added to the qualities that the BJP rank and file have found attractive.

If released, the "too sensitive" documents are also likely to have repercussions in countries such as Japan, Singapore, Thailand and Malaysia where there are still some die-hard Netaji followers.

Sources said the "sting could be taken out in one go only if they (the British Cabinet papers) are declassified". They argued that "after all", the remarks about Netaji have been made by British intelligence and officials of the day.

"It (the act of making the documents public) will have to be a political decision," the sources said.

By Registered post with A/D.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Fax :
0091-033-252-2765

558/ISUSD-12/02

Phone: 12/2
Chairman - 252-2035
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68
e-mail:
jmcinscb@cal3.vsnl.net.in

No. JMCI/Records/N.Delhi/99-2000/37(Vol. II)/534. Kolkata, dated, 29th January'2002.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.



S i r,

I am directed to refer to the affidavit dated December 19, 2001 of Smt. Sangita Gairola, Joint Secretary (IS-I), Ministry of Home Affairs, Government of India, filed before this Commission and to state that besides the 17(seventeen) Volumes pertaining to Khosla Commission, as listed in Schedule-I of her affidavit, Vol.Nos.XX, XXI, XXIII, and XXIV pertaining to the said Commission are mentioned at Serial Nos. 5,6,7, and 8 respectively of Annexure 'A' of the said affidavit and that there is no mention of the Vol. Nos. XVIII, XIX, and XXII.

I am directed to request you that Vol.Nos.XVIII, XIX, andXXII and other Volumes, if any, pertaining to Khosla Commission, may kindly be made available along with other relevant files/documents/records which have been shown, in the said affidavit, to have since become available, for perusal of the authoursed representative(s) of the Commission.

Yours faithfully,

P. K. Sengupta
(P. K. Sengupta)
Secretary

By Registered post with A/D.

SE—4

भारत सरकार सेवार्थ

ON INDIA GOVERNMENT SERVICE

o.JMCI/Records/N.Delhi/99-2000/37(Vol.
534. Dated 29.01.02.



[Signature]
Justice Mukherjee Commission of
Inquiry for Inquiry into the
alleged disappearance of
Netaji Subhas Chandra Bose
A, Mirza Ghalib Street, 3rd Floor
Block 'B', Calcutta— 700087

To
The Secretary
Ministry of Home Affairs
Government of India
North Block
New Delhi-110001.

R2 NO

5684
31/1/02



28
JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

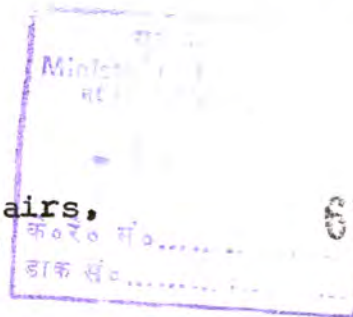
10
Fax :
0091-033-252-2765

Phone:
Chairman -- 252 2835
Secretary -- 252-2767
Officer on
Special Duty -- 252-2765
Office -- 252-2766/68
e-mail :
jmcinsec@cal3.vsnl.net.in

No. JMCI/Records/N.Delhi/99-2000/37(II)/ Kolkata, dated. 14th March'2002.
610.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

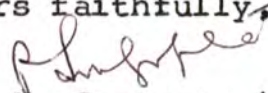


1165-11505D-14/2
2/4
Sir,

I am directed to send herewith a xerox copy of the correspondence pages bearing Nos.112 and 153 of Secret File No. 2(64)/56-68-PM of the Prime Minister's Office and to draw your notice to the cor.page No.112 which refers to a news of Netaji's imprisonment in Russian Jail that the particulars of the action taken regarding verification of the said news are not available in the said file and that at Cor.page 153 which is a part of a secret note dated September 1, 1969 for the Cabinet, apparently prepared by the Secretary, Ministry of Home Affairs, Government of India, it has been mentioned inter alia that the said news of Netaji's imprisonment in Russia "has not been corroborated by any tangible evidence".

15004
I am, therefore, directed to request you to report to the Commission as early as possible the action taken by the Government of India for verification of the said news of imprisonment of Netaji in Russia, the details of verification actually made and the outcome thereof.

Yours faithfully,


(P. K. Sengupta)
Secretary

Encls: Two.

having accepted the findings of the Committee, have taken the position that unless fresh evidence or new facts were brought to light a further enquiry was not warranted. Rumours about Netaji's survival and whereabouts, etc., have cropped up repeatedly. Each of these, whenever brought to Government's notice, has been investigated and generally found to be baseless. In 1962, rumour was spread that a Sanyasi of Shaulmari Ashram was in fact Netaji. The Sanyasi, Swami Shradhanand himself denied the rumour. Another claim made by Dr. S.N. Sinha that Netaji was incarcerated in Cell No. 46 of Yakutusk prison in Siberia has not been corroborated by any tangible evidence. Lt. Gen. Fujiwara of Japan who came to India to present Netaji's sword, while urging for further investigation, did not produce any evidence to contradict the findings of the Shah Nawaz Khan Enquiry Committee. Recently a press report in a Bengali Daily, "Jugantar", based on information given by an ex-Indian army personnel, presently employed in West Bengal Police (as Inspector of Police, Security Control, Calcutta), that Netaji left Singapore by submarine towards the end of 1945 was investigated and found to be hearsay and vague information. The latest instance is of the news report claiming that Netaji Subhas Chandra Bose had spoken from Radio Moscow after the Tashkent Agreement. On checking up with Radio Moscow authorities, it was discovered that a student by

.../-

Sur 46

Ghotpur
6.2.70

^{Shimoli}
Hon. Indira Gandhi

Prime Minister
Govt of India.
Delhi.

I have the greatest pleasure
to read the news of the whereabouts
of Shri Netaji Subhash Chandra Bose in
"The Gondwanan" published on the 26th Jan/70,
that he is imprisoned in Russia Room
No 45 of Yakunash jail.

If the news is true, what
kind of action by our Govt has been taken?

I am very eager to know ^{the} efforts made on his
part; hence I, as a citizen of my land, earnestly
and humbly request you to kindly intimate

whether the news is true.

I wish, God may provide him
long happy life.

Yours faithfully
[Signature]

2/2.70

112
2.5.11 their news?

JS 11

16/11

28/11

2/11

2/11

270

Confidential

(11)

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
 FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
 NETAJI SUBHAS CHANDRA BOSE.
 'B' Block, (Third Floor)
 11/A Mirza Ghalib Street, Kolkata 700 087

Fax :
 0331-033-252-2765

Phone:
 Chairman -- 252-2835
 Secretary -- 252-2767
 Officer on
 Special Duty -- 252-2765
 Office -- 252-2766/68
e-mail:
 jmcinsch@cal3.vsnl.net.in

No. JMCI/Records/N.Delhi/99-2000/37(II)/ Kolkata, dated. 14th March '2002.
 609.

From : Shri P.K. Sengupta,
 Secretary

To : The Secretary,
 Ministry of Home Affairs,
 Government of India,
 North Block,
New Delhi-110001.

S i r,

I am directed to send herewith a xerox copy of correspondence page No.153 of Prime Minister Office's Secret File No.2(64)/56-68-PM and to state that it is mentioned therein inter alia that Netaji Subhas Chandra Bose has spoken from Radio, Moscow after the Taskent Agreement and that on checking up with the Radio Moscow Authority , it was discovered that a student in the name of Subhas Chandra had, in fact, made the broadcast.

I am, therefore, directed to request you to send an authenticated true copy of the said news which claimed that Netaji Subhas Chandra Bose has spoken from Moscow Radio after the Taskent Agreement, the full text of the said radio speech, the full particulars of the student in the name of Subhas Chandra who allegedly made the broadcast and a true copy of the report sent by the Radio Moscow Authority in the matter.

15 DM

Encl : One

Yours faithfully,

P.K. Sengupta
 (P.K. Sengupta)
 Secretary

SECRET

- 6 -

having accepted the findings of the Committee, have taken the position that unless fresh evidence or new facts were brought to light a further enquiry was not warranted. Rumours about Netaji's survival and whereabouts, etc., have cropped up repeatedly. Each of these, whenever brought to Government's notice, has been investigated and generally found to be baseless. In 1962, rumour was spread that a Sanyasi of Shaulmari Ashram was in fact Netaji. The Sanyasi, Swami Shradhanand himself denied the rumour. Another claim made by Dr. S.N. Sinha that Netaji was incarcerated in Cell No. 46 of Yakutusk prison in Siberia has not been corroborated by any tangible evidence. Lt. Gen. Fujiwara of Japan who came to India to present Netaji's sword, while urging for further investigation, did not produce any evidence to contradict the findings of the Shah Nawaz Khan Enquiry Committee. Recently a press report in a Bengali Daily, "Jugantar", based on information given by an ex-Indian army personnel, presently employed in West Bengal Police (as Inspector of Police, Security Control, Calcutta), that Netaji left Singapore by submarine towards the end of 1945 was investigated and found to be hearsay and vague information. The latest instance is of the news report claiming that Netaji Subhas Chandra Bose had spoken from Radio Moscow after the Tashkent Agreement. On checking up with Radio Moscow authorities, it was discovered that a student by

.../-

12/ ~~Confidential~~

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JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Fax :
0091-033-252-2765

Phone:
Chairman - 252-2035
Secretary - 252-2167
Officer on
Special Duty - 252-2765
Office - 252-2166/68
e-mail:
jmcinsec@cal.vsnl.net.in

No. JMCI/Records/N.Delhi/99-2000/37(II)/ Kolkata, dated, 14th March '2002.
608(2).

From : Shri P.K. Sengupta,
Secretary.

To : 1) The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.
2) The Secretary,
Ministry of External Affairs,
Government of India,
South Block,
New Delhi-110001.

S i r,

150M
I am directed to send herewith a copy of the letter dated 15.10.1970 of Shri M.L.Sondhi, M.P.(Lok Sabha) addressed to Shri V.V.Giri, President of India (vide enclosed copies of cor.pages 177 & 177A of Prime Minister Office's Secret File No. 2(64)/56-68-PM), which contains some matters appearing to be relevant for the purpose of inquiry of this Commission, I am directed to state that cor.page 179 thereof, which is a copy of P.M. Secttⁿu.o. No.2/64/56-70-PM dated October 22, 1970 (vide copy enclosed) shows that a copy of the said letter of Shri M.L.Sondhi had been sent by the Prime Minister's Office to the Ministry of Home Affairs and the Ministry of External Affairs for such action as was considered appropriate.

I am, therefore, directed to request you to report to the Commission the details of action taken on the said letter of Shri Sondhi and the outcome thereof since those facts do not appear to be available in the said file.

Encls : Three.

Yours faithfully,
P. K. Sengupta
(P. K. Sengupta)
Secretary

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SECRET

October 22, 1970.

A copy of a letter dated October 13, 1970 addressed to the President by Shri M.L.Sondhi, M.P., together with a copy of the covering letter from the President's Secretariat, regarding Netaji Subhas Chandra Bose, is forwarded herewith for such action as is considered appropriate.

V.P.
(V.P. Marwaha)
Private Secretary to the
Prime Minister.

(Sepa-
rate
copies)

Ministry of Home Affairs
Ministry of External Affairs
P.M. Sectt. u.o. No. 2/64/56-700m

(we)

WLLH

forwarded
22/10

M.L. Sondhi
MEMBER OF PARLIAMENT
(LOK SABHA)



274
PRESIDENT'S SECRETARIAT
Cy. No. 5040-020
Dated 17/10/70

C-I/6, Lodi Gardens,
New Delhi-3.

15th October, 1970.

Respected Rashtrapati ji,

Please permit me to draw your attention to a reference to Netaji's death which was published in the American version of Goebbel's Diary in its first edition. As you will notice in the enclosed copy of a page of this book, it has been mentioned in the explanatory note that Netaji was arrested and shot by the American troops. This American edition of Goebbel's Diary was withdrawn from circulation by the American Government, but we have been able to trace a copy of this book and I am drawing your attention to this particular matter because of the Netaji Inquiry Commission (1970) the Government have formed with Justice G.D. Khosla as its Chairman.

2. We are all very thankful to you for having agreed to make another effort to clear the mystery of Netaji's death, but in my view this mystery is surrounded with so much secrecy that unless this Committee of Enquiry has also some members from other countries, the Committee will not be able to achieve anything very substantial. In the first place, Government of India should request the State Department of the U.S. Government to release from its archives all the secret files in connection with Netaji's death and the same approach should also be made to the Japanese and other Governments.

3. May I, therefore, suggest that you should kindly review the composition of the Enquiry Committee and include in it some internationally well-known jurists and ensure that the injustice done by the Shah Nawaz Commission of 1956 is not repeated.

4. I have to draw your attention to a related matter which is the Verdict of the Tokyo Trial vis-a-vis Netaji. The consistent position taken by our informed citizens is that the Tokyo Trial was a grave injustice to the Japanese people and to Netaji. There is a popular demand among Indian intellectuals that the Government of India should take concrete steps to undo the Verdict of the Tokyo Trial. It is a matter of some comfort that the renowned Indian judge Radha Binod Pal in his dissenting judgement exposed by implication the malafides of the other Allied judges on the Tokyo tribunal.

M.L. Sondhi
MEMBER OF PARLIAMENT
(LOK SABHA)



C-I/6, Lodi Gardens,
New Delhi-3.

15th October, 1970.

- 2 -

Reflecting the wishes of the overwhelming majority of millions of our countrymen who respect and admire the cooperation of Subhas Chandra Bose and the Japanese people, I propose to bring in the next session of Parliament a motion placing on record the heartfelt thanks of the Indian people to the Japanese people and calling upon the Government of India to take steps to get the Tokyo Verdict vacated by all diplomatic means at its disposal.

With respectful regards,

Yours sincerely,

M.L. Sondhi

(M.L. SONDHI)

Shri V.V. Giri,
President of India,
New Delhi.

Encl: One

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JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:
Chairman - 252-2835
Secretary - 252-2161
Officer on
Special Duty - 252-2165
Office - 252-2161/2160
e-mail:
jmcinweb@cal3.vsnl.net.in

Fax:
0091-033-252-2765

No. JMCI/Records/N.Delhi/99-2000/37(II)/ Kolkata, dated.14th March'2002.
606(2).

From : Shri P.K. Sengupta,
Secretary

To : 1) The Secretary, Prime Minister's Office,
South Block, New Delhi-110001.
2) The Secretary, Ministry of Home Affairs,
Government of India, North Block,
New Delhi-110001.

Sir,

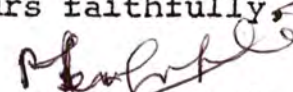
I am directed to send herewith a copy of U.O. Note dated 04.08.1972 of the Prime Minister's Secretariat sent to the Ministry of Home Affairs, Government of India, which appears at cor.page 64 of the Secret File No.2(64)/56-70-PM. Vol.V of the Prime Minister's Office and to state that from the said U.O. Note it appears that Vols. I and II of the Prime Minister Office's File No.F-2(64)/56-66-PM regarding "Death of Shri Subhas Chandra Bose-an appointment of an Inquiry Committee" were sent by the Prime Minister's Office to the Ministry of Home Affairs under the said U.O. Note and that no copies of Vols. I and II of the said file appear to have been received by the Commission from the Prime Minister's Office.

I am, therefore, directed to request you to send to the Commission authenticated true copies of Vols. I & II of Prime Minister's Office File No.F-2(64)/56-66-PM, as mentioned in the said U.O. Note, as quickly as possible.

I am further directed to request you to send to the Commission immediately authenticated true copies of Prime Minister's Office File No.2(67)/56-62-PM which along with other files including Vols. I and II of Prime Minister's Office File No.2(64)/56-66-PM were returned by the Khosla Commission to the Prime Minister's Office under the said Commission's d.o. letter dated July 5, 1974, (copy enclosed) which is lying at cor.page 144 of the Prime Minister's Office Secret File No.2(64)/56-70-PM. Vol.V.

Enclosures: As stated above.

Yours faithfully,


(P. K. Sengupta)
Secretary

Sm 44 S.H. 43

SECRET

PRIME MINISTER'S SECRETARIAT

Sm 42

Reference Ministry of Home Affairs
u.o. No. 24/27/71-Poll. II dated the 21st
July, 1972.

2. ✓ Volumes I and II of this Secretariat
file No. F.2(64)/56-66-PM regarding "Death of
Shri Subhash Chandra Bose and appoint of an
Inquiry Committee to go into the circumstances
of the death" which contain papers relating to
the time of the late Prime Minister Shri
Jawaharlal Nehru are sent herewith.

Kindly acknowledge receipt.

g.u.o.

(S.P. Khanna)
Private Secretary
to the Prime Minister
4.8.72

Ministry of Home Affairs (Shri R.C. Iyer, Under
Secretary)

4.8.72 PMS-18719 ✓

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R 4/8
(hr)

Pm

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(14)

Confidential

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
 FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
 NETAJI SUBHAS CHANDRA BOSE.
 'B' Block, (Third Floor)
 11/A Mirza Ghalib Street, Kolkata 700 087

Fax :
 0091-033-252-2765

me:
 Chairman -- 252-2835
 Secretary -- 252-2767
 Officer on
 Special Duty -- 252-2765
 Office -- 252-2766/68
e-mail :
 jmcinsec@cal3.vsnl.net.in

No. JMCI/Records/N.Delhi/99-2000/37(II)/ Kolkata, dated.14th March '2002.
 605.

From : Shri P.K. Sengupta,
 Secretary

To : The Secretary,
 Ministry of Home Affairs,
 Government of India,
 North Block,
New Delhi-110001.

S i r,

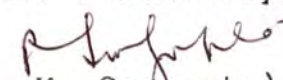
I am directed to send herewith a copy of the Prime Minister Secretariat's U.O. No.PMS-307 dated 05.01.1974 from Shri B.N. Tandon, Joint Secretary to the Prime Minister, sent to Shri T.C.A. Srinivasavardan, Additional Secretary, Ministry of Home Affairs, which is lying at cor.page 124 of the Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol.V. A copy of the letter dated 21st December, 1973 of Shri Samar Guha, M.P. addressed to the Prime Minister, which is lying at cor.pages 116 to 122 of the said Secret file, was enclosed with the said U.O. note of the Prime Minister's Office.

15/3/02

I am directed to request you to report to the Commission immediately the action taken on the points made by Shri Samar Guha in his said d.o. letter dated December 21, 1973 addressed to the Prime Minister, other than those points specifically dealt by Shri Tandon, Joint Secretary to the Prime Minister in the aforesaid U.O. note.

Yours faithfully,

Encl : As stated above.


 (P. K. Sengupta)
 Secretary

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PRIME MINISTER'S SECRETARIAT

Sm 79

We forward herewith a copy of a letter dated 21st December, 1973 which the Prime Minister has received from Shri Samar Guha, M.P. about the Netaji Inquiry Commission. In so far as points Nos. 4 and 6 are concerned, the position is that in accordance with the standing instructions relating to the recording of files, papers which were of a routine or non-essential nature were destroyed before this Secretariat file on the subject was recorded. In any case, no paper was destroyed after the file had been requisitioned by the Netaji Inquiry Commission.

2. As regards points 9 and 10, as the Ministry of Home Affairs is aware, the Prime Minister's Secretariat came into being in August, 1947 and this Secretariat file on the subject could not, therefore, have contained papers relating to earlier dates. We are, however, enquiring from the Nehru Memorial Library whether the letters referred to are with them.

3. As regards point 11 on page 4, it might be mentioned that the assignment relating to a biography of the Prime Minister was not a Government assignment. At Shri G.D. Khosla's special request, the Prime Minister saw him for about half-an-hour.

4. The Ministry of Home Affairs may kindly look into the other points made by Shri Guha and send a suitable reply to him, with a copy to this Secretariat.

Ramwinder
(B.N. Tandon) 4/14
Joint Secretary
to the Prime Minister
4.1.1974

Ministry of Home Affairs (Shri TCA Srinivasavaradan,
Addl. Secretary)

File No. Pms-307 ✓
Date 5-1-74

Issued
5/1/74

B.F. 5/2-74
Sm 85
Sm 89

Pm 2(64)

2800

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Fax :
0091-933-252-2765

Phone:
Chairman -- 252-2835
Secretary -- 252-2161
Officer on
Special Duty -- 252-2765
Office -- 252-2766/68
e-mail:
jmcinsecb@cal3.vsnl.net.in

No. JMCI/Records/N.Delhi/99-2000/37(II)/
603(2). Kolkata, dated. 14th March '2002.

From : Shri P.K.Sengupta,
Secretary

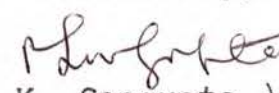
To : 1) The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.
2) The Secretary,
Prime Minister's Office,
Government of India,
South Block,
New Delhi-110001.

15-01/1
S i r,

I am directed to send herewith a copy of Starred D.No. 3424 of the Lok Sabha Question appearing at cor.page 132 of Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol. V and to request you to send to the Commission immediately authenticated true copy of the answer of the Government to the said Lok Sabha Question as also of the Government notes on the supplementaries regarding the said Lok Sabha Question.

Yours faithfully,

Encl : As stated above.


(P.K. Sengupta)
Secretary

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1

QUESTION FOR THE LOK SABHA - ADVANCE NOTICE

Starred D.No. 3424

Ministry to which the day has been allotted External Affairs

The Question will, if admitted be put for the sitting on 28.2.1974.

NETAJI INQUIRY COMMISSION

- SHRI SAMAR GUHA:

Will the Minister of External Affairs be pleased to state.

(a) Whether it is a fact that late Prime Minister Pandit Jawaharlal Nehru had made a request to the former President of China, Generalissimo Chiang Kaishik, to conduct an enquiry into the report circulated by the Japanese Radio regarding alleged death of Netaji Subhash Chandra Bose in a plane crash at Tasheko (Taiping) in 1945;

(b) whether the Mayor of Taiping (Taihoko) conducted an enquiry into the reported plane crash and submitted his findings to the then President of China to this effect that the report was unfounded;

(c) whether the President of China informed Pandit Nehru about the findings of the inquiry;

(d) if so, the reasons for not submitting the correspondence between Pandit Nehru and Chiang Kaishik before the Netaji Inquiry Commission;

(e) whether these correspondence are missing or have been destroyed by the Government;

(f) whether the Government will write to the Government of Taiwan for supplying copies of such correspondence from this archive to the Netaji Inquiry Commission; and

(g) if not, the reasons thereabout?

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Status Report as on 19.03.2002 (forenoon) showing action taken on/compliance with orders/directions including those contained in the proceedings dated December 20, 2001 read with the proceedings dated 23.03.2000, 13.06.2000, 31.08.2000, 28.09.2000, 23.11.2000, 22.12.2000, 17.01.2001, 04.04.2001, 13.06.2001, and 17.10.2001 of the Commission.

1. Copies of the Status Report as on 12.12.2001 and copies of the proceedings dated 19.12.2001 and 20.12.2001 have been sent to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs, Prime Minister's Office, Cabinet Secretariat, Ministry of Defence, as also to the Director, Intelligence Bureau, and the Director General, National Archives of India under Commission's letter No. JMCI/Meeting-Proceedings (Follow Up)/48(Vol.III)/514(7) dated 16.01.2002 sent to them by Registered Post with A/D for their kind information and favour of taking necessary action.
2. As early as on September 5, 2001 the Director General of National Archives, Government of India, was requested by Commission by its d.o. No. JMCI/DOC(FOR)/99-2000/56(Vol.II)/286 of that date to inform the Commission whether they have obtained the Micro-Films/Micro-Fiches of the files/documents which were earmarked by the team of the Commission after their study of the relevant files/documents in the British Library and the Public Records Office and also authenticated xerox copies of the entire File No. K 148/A of Mountbatten papers in the Hartley Library of the Southampton University, all of which they (National Archives) undertook to furnish to the Commission. Even though six months have since elapsed those documents are yet to be received by the Commission.
3. The Secretary, Ministry of Home Affairs, Government of India, was requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/305 dated September 18, 2001 to let the Commission know immediately what action was taken on the Rajya Sabha Starred Question No. DY. 2198 by Shri K.R. Malkani, M.P. due for answer on 06.03.1996 as mentioned at notesheet page 1 of Prime Minister's Office File No. 915/II/C/6/96-Pol. as also on the letter dated November 20, 1996 of Shri Ramkrishna Hegde

addressed to the then President of India, indicating the results of the said actions. The Secretary, Ministry of Home Affairs was also requested in the said letter of the Commission to send to the Commission within six weeks an authenticated xerox copy of the information furnished by the Government of U.K. as stated in the letter dated 12.03.1999 of the Ministry of Home Affairs, appearing at cor.page 196 of the said file of the Prime Minister's Office. Copies of the aforesaid notesheet page and cor.page were enclosed with the Commission's said letter dated September 18, 2001. The information and documents called for are still awaited.

4. Further affidavit, as called for from the Ministry of Defence, Government of India, by Commission's letter No.JMCI/Record/-N.Delhi/99-2000/37/57 dated May 3, 2001 regarding existence/non-existence/availability/non-availability/destruction, etc. of the complete records of the proceedings of the trial of I.N.A. personnel, is still to be submitted by the said Ministry before the Commission.

- ✓ 5. A xerox copy of the report captioned, "Sleeping Bomb lies in Netaji Vault" authored by Shri Chandan Nandy was sent to the Secretary, Ministry of Home Affairs, Government of India, with Commission's letter No.JMCI/Records/N.Delhi/99-2000/-37/108 dated 28.05.2001 in terms of the letter No.10/SPS-11/-2001(20)-306 dated 17.05.2001 of the Cabinet Secretariat, Government of India, and the Secretary, Ministry of Home Affairs, was requested to furnish a detailed report on the contents of the said article of Shri Chandan Nandy which was published in the "Telegraph", Calcutta on March 26, 2001. The response of the Ministry of Home Affairs, Government of India, in the matter is still awaited.

6. In Commission's letter No.JMCI/Meeting-Hearing/99-2000/-57(Vol.II/349 dated October 8, 2001 certain anomalies noticed in the photo copy of File No.915/II/C/6/96-Pol. of the Prime Minister's Office were pointed out to the Secretary of the Prime Minister's Office with the request to furnish necessary explanation/clarification in respect of the said anomalies within eight weeks from the date of receipt of the

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letter. The said letter appears to have been received in the Prime Minister's Office on December 12, 2001. Their reply is still awaited.

7.(a)(i) Shri Jayant Prasad, Joint Secretary, Ministry of External Affairs, prayed for two months' time at the time of his examination as a witness before the Commission on December 20, 2001, for filing a supplementary affidavit detailing the developments that have taken place since he filed his affidavit dated 14.12.2001 regarding availability of documents from foreign countries. The Hon'ble Chairman considered and allowed the prayer with the direction that he should also state in his supplementary affidavit whether there is any classified documents relating to the terms of reference of the Commission.

(a)(ii) The Director (CNV), Ministry of External Affairs, Government of India, in his d.o. letter No.25/4/NGO-Vol.VII dated February 21, 2002 addressed to the Secretary of the Commission has stated inter alia : "following the scrutiny of records" being relied upon by different deponents "It was found that only one document - a record of the interview of the then Ambassador to U.S.S.R., Shri K.P.S. Menon, with Stalin - pertained to this Ministry."

(a)(iii) The said record of the interview of Shri K.P.S. Menon with Stalin received by the Commission on February 7, 2002 from the Ministry of External Affairs, Government of India, in a sealed cover was opened and read by the Hon'ble Chairman, resealed in his presence and sent back to the Ministry of External Affairs on February 11, 2002 as the Hon'ble Chairman found the said record of interview to be having no relevance whatsoever to any of the terms of reference of this Commission.

(a)(iv) A supplementary affidavit sworn by Shri Jayant Prasad, Joint Secretary (CNV), Ministry of External Affairs, Government of India, has been received on March 4, 2002 by the Commission. In this affidavit the said Joint Secretary has stated, inter alia, that there is no other documents in the Ministry, whether classified or unclassified, relating to the terms of

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reference of this Commission; that the Indian Mission in Washington has informed the Ministry of External Affairs, Government of India that all documents once declassified by the U.S. Government are no longer retained by them and are normally stored in the National Archives, Library of Congress or other similar documentation centres; that the classified documents of the U.S. Government can be requisitioned under the U.S. Freedom of Information Act, only by giving specific details of the documents; and that the said Indian Mission has further conveyed that this is a tardy and complicated process.

✓ 7.(b) At the time of her examination before the Commission as a witness on December 20, 2001, Smt. Sangita Gairola, Jt. Secy., MHA, stated inter alia that a small Committee headed by the Deputy Secretary of the Ministry of Home Affairs has been formed by the Ministry to find out further relevant records and stated that they would require another two months to continue the inquiry to find out other relevant documents. Even though the said period of two months has expired, the result of the said inquiry by the Ministry of Home Affairs is still awaited.

result of further efforts sent
Heard by intimates to JMC (appended)

8. On a petition filed on behalf of the Commission the Hon'ble Allahabad High Court (Lucknow Bench) has passed an order on February 6, 2002 and permitted the Commission to bring to its head office in Calcutta the sealed box containing the documents and articles selected by the Commission and kept in a Steel Box, out of the articles and documents allegedly belonging to 'Gumnam Baba' and kept in the Steel Boxes in the District Treasury of Faizabad. Steps could not be taken to bring the said box containing the said selected articles and documents from the District Treasury of Faizabad to the Commission's head office in Calcutta with proper and adequate Police escort before completion of the elections to the Legislative Assembly of the U.P. which commenced on February 14, 2002. After completion of the said elections, some steps were taken for the aforesaid purpose; but the efforts in this regard had to be suspended because of the reported law and order situation in Faizabad. The efforts will be renewed as soon as the situation there becomes normal.

The Secretary, Prime Minister's Office, has been requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(Vol.II)/536 dated 29.01.2002 to kindly send to the Commission immediately authenticated xerox copies of the rules and procedures prescribed for destruction of files/documents since it appears from the purported xerox copies of file No.23(156)/51-PM of the Prime Minister's Office as also from their communication dated September 21, 2001 that a number of papers/files of the said office were destroyed.

0. It has been stated inter alia in the affidavit dated December 19, 2001 of Smt. Sangita Gairola, Joint Secretary (IS-I), Ministry of Home Affairs, Government of India :

"The averments and allegations made therein (i.e. in the affidavits and supplementary affidavits concerned) are matters of records and subject to the consideration by the Hon'ble Commission. Some of the records available with this Ministry have been made over to the Hon'ble Commission and some others have been discovered with this affidavit (i.e. her affidavit dated December 19, 2001) for consideration by the Hon'ble Commission; and that she has further stated therein that "the Ministry of Home Affairs has also taken up the matter with Ministry of External Affairs, Ministry of Defence, Intelligence Bureau, National Archives of India, and Prime Minister's Office, to go through the documents and if necessary submit an affidavit to the Commission directly."

No action
pending
at our end.

Hence, the Secretaries of the Ministry of External Affairs, the Prime Minister's Office, and the Ministry of Defence as also the Director of Intelligence Bureau, and the Director General of National Archives of India have been requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(Vol.II)/537 dated 29.01.2002 to send their respective affidavits immediately regarding the averments and allegations made in the relevant affidavits and supplementary affidavits of different deponents, the copies of which were furnished by the Commission with the Ministry of Home Affairs, Government of India.

11.(a) The Secretary, Ministry of Home Affairs, Government of India, has been requested by Commission's confidential letter No.JMCI/Records/2000-01/37(II)/533 dated January 28, 2002 to let the Commission know what was the outcome of the action, if any, taken on U.O. No.800/6/C/I/90-Pol. dated September 21, 1990 of the Prime Minister's Office addressed to Shri Naresh Chandra, the then Home Secretary, Government of India, wherewith a copy of the letter dated September 13, 1990 of Shri Amiya Nath Bose addressed to Shri V.P. Singh, the then Prime Minister of India and of the enclosure thereto which is a xerox copy of the news titled, "Fresh Clue on Netaji's Death" published in the "Times of India" (New Delhi) dated September 3, 1990 were sent to the Home Secretary, Government of India, for appropriate action. It was also stated in the said letter dated 28.01.2002 of the Commission that the said letter dated September 13, 1990 of Shri Amiya Nath Bose with its enclosure and the said note dated September 21, 1990 are available in File No.800/6/C/I/90-Pol. of the Prime Minister's Office, on the subject, "Netaji Subhas Bose - Bringing in the ashes of".

(b) The Secretary, Ministry of External Affairs, Government of India, has been requested by Commission's confidential letter No.JMCI/Records/2000-01/37(II)/532 dated January 28, 2002 to let the Commission know as quickly as possible what was the outcome of the action, if any, taken on U.O. No.800/6/C/I/90-Pol. dated May 23, 1990 of the Prime Minister's Office endorsed to the Joint Secretary (EA), Ministry of External Affairs, Government of India, wherewith copies of the letter dated May 11, 1990 of Shri Amiya Nath Bose, the reply dated May 19, 1990 thereto given by Shri R. Sen, Joint Secretary of the Prime Minister's Office as also of the letter dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India jointly authored by Shri Ashok Nath Bose, Shri Amiya Nath Bose and Shri Subrata Bose, all nephews of Netaji Subhas Chandra Bose, were sent to bring those to the attention of the Ministry of External Affairs, Government of India. It was stated

in the said letter of the Commission that xerox copies of the aforesaid letters and the note are available in the File No.800/6/C/I/90-Pol. of the Prime Minister's Office.

- (c) The Director, Press Information Bureau, Government of India, has been requested by Commission's confidential letter No.JMCI/Records/2000-01/37(II)/531 dated January 28, 2001 to find out and furnish this Commission with an authenticated true copy of the Press statement, if any, of Mahatma Gandhi which is alleged in the letter dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India, authored jointly by Shri Ashok Nath Bose, Shri Amiya Nath Bose, and Shri Subrata Bose, all nephews of Netaji Subhas Chandra Bose, to have been made in 1945 by Mahatma Gandhi to the effect that Netaji did not die in any air-crash on August 18, 1945, after he spoke in detail to Col. Habibur Rahman regarding alleged death of Netaji in an air-crash on August 18, 1945.
- (d) A xerox copy of a letter dated May 4, 1990 of Sarbashree Ashok Nath Bose, Amiya Nath Bose, and Subrata Bose addressed to Shri V.P. Singh, the then Prime Minister of India, which appears at cor.pages 3 to 5 of file No. 800/6/C/1/90-Pol., of the Prime Minister's Office on the subject, "Netaji Subhas Bose - Bringing in the ashes of" has been sent to the Secretary, Ministry of External Affairs, Government of India, with Commission's confidential letter No.JMCI/Records/2000-01/37(II)/529 dated January 28, 2002 with the request to kindly procure and furnish this Commission as quickly as possible with an authenticated true copy of the report of the American Intelligence Party, as referred to in the said letter dated May 4, 1990, which allegedly went to Taihoku airport from Mc. Arthur's headquarters to make inquiries about the alleged air-crash at Taihoku on August 18, 1945.

12. During the visit of the Commission to London in July, 2001 some of the files of the Intelligence and Security Agencies of the Government of the U.K. relating to the relevant period were not allowed to be perused by the Commission on

the ground that those were classified confidential files under the order of the Lord Chancellor. The matter was taken up by the Hon'ble Chairman at personal level with the Lord Archer who assured the Commission that he would take up the matter with the Lord Chancellor. The letter dated December 1, 2001 of the Lord Chancellor addressed to the Lord Archer shows inter alia that those confidential files would not be made available to the Commission and that those files contain no information which is not already made available to the Commission. Lord Archer has been requested by the Hon'ble Chairman in his d.o. No.

JMCI/Chairman's Correspondence/2000-01/71/541 dated

- January 31, 2002 to kindly impress upon the Lord Chancellor to give the Commission an access to those retained papers which may, hopefully, furnish some materials regarding the alleged disappearance of Netaji Subhas Chandra Bose and thereby remove all sorts of speculations and doubts in this regard. The request has not yet been heeded to.

- 13.(a) Shri Jarnail Singh, Joint Secretary to the Prime Minister's Office, has been requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/543 dated February 1, 2002 to clarify immediately to the satisfaction of the Commission his statement made in his affidavit dated December 18, 2001 filed before the Commission on December 20, 2001 that the Prime Minister's Office : "is not in a position to provide any clarifications/explanation regarding the circumstances under which Late Morarji Desai, the then Prime Minister, had made such statement on the floor of the Parliament" viz., "some further contemporary official documentary records have also become available", in view of the notes and remarks at cor. pages 26 and 27 of the Secret File No. 2/64/78-PM on the subject, "N.S.C. Bose" received by the Commission from the Prime Minister's Office which appear to show that there were official documents, notes and orders which led the then Prime Minister, Shri Morarji Desai, to make the said statement on August 28, 1978, on the floor of the Parliament (Lok Sabha).

The Secretary, Prime Minister's Office was requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/-37(II)/535 dated January 29, 2002 to send to the Commission immediately authenticated xerox copies of the Parliamentary proceedings (Lok Sabha) dated August 28, 1978 as also of the notes of the Prime Minister's Office on the subject matter discussed in the Lok Sabha on August 28, 1978 including the matter of disappearance of Netaji Subhas Chandra Bose on which Late Morarji Desai, the then Prime Minister, made his statement on the floor of the Lok Sabha on August 28, 1978.

The Director (LARRTIS) Lok Sabha Secretariat, New Delhi, as requested by the Prime Minister's Office in PMO ID. No. Pt.915/11/C/2/2000-Pol. dated 25.02.2002 has been requested to send immediately authenticated xerox copies of the Parliamentary proceedings (Lok Sabha) dated ~~October~~^{August} 28, 1978 and of other papers, if any, connected therewith.

✓ 14. The Secretaries, Ministry of Home Affairs, and Ministry of Information and Broadcasting, Government of India, have been furnished with a copy of the d.o. letter dated February 3, 1978 of Shri R.C. Mazumder (renowned historian) addressed to Shri Morarji Desai, the then Prime Minister of India and of the notes of Shri Mazumder annexed thereto appearing at cor. pages 16 to 20 of the Secret File No. 2/64/78-PM of the Prime Minister's Office and were requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/542 dated February 1, 2002 to kindly furnish the Commission as quickly as possible with documents or authenticated xerox copies thereof relevant to the various contentions of the said letter of Shri Mazumder which appear to be relevant to the terms of reference of the Commission. The documents/authenticated copies called for from them are awaited.

✓ 15. The Secretary, Ministry of Home Affairs, Government of India, has been requested by the Commission's letter No. JMCI/Records/-N.Delhi/99-2000/37(II)/534 dated January 29, 2002 to make available for perusal of the authorised representative(s) of the Commission, Vol. Nos. XVIII, XIX, and XXII and other Volumes (excepting first 17 Volumes) along with other relevant

*These vol
are not listed in
Vol. Nos. as these were
not found.*

*No such
reference
is available
in the file
PMO may be
perused*

files/documents/records pertaining to the Khosla Commission which have not yet been sent to this Commission. The response of the Ministry of Home Affairs in the matter is awaited.

16. In reply to d.o. letter No.25/4/NGO-Vol.VII dated December 18, 2001 of the Director, (C.N.V.), Ministry of External Affairs, Government of India, the Secretary of the Commission by his d.o. No.JMCI/Overseas-Witnesses/2000-01/70/499 dated January 9, 2002 has intimated the Director, (C.N.V.) that the Commission proposes to visit Japan in the second half of March, 2002 and that the tour programme in details will be drawn up and communicated to the Ministry of External Affairs after receiving the requisite details sought for by the Commission from them.

In reply to two d.o. letters both bearing No.25/4/NGO-Vol.VII dated February 21, 2002 regarding proposed visit of the Commission to Japan to examine - (a) the Witnesses in Japan, and (b) the Witnesses in Taiwan respectively of the Director (CNV), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission, the Secretary, Ministry of External Affairs has been stated inter alia by Commission's letter No.JMCI/Overseas-Witnesses/2000-01/70/600 and No.JMCI/Overseas-Witnesses/2000-01/70/601 both dated March 14, 2001 that the Commission does not possess any further details of the witnesses in Taiwan and has been requested to explore all resources at the disposal of the Ministry of External Affairs to get the addresses and further details of the witnesses in Taiwan and to expedite the matter so that the Commission can visit Japan and Taiwan for examination of ^{the} witnesses available there and inspect the places relevant to the points of inquiry as quickly as possible.

- 17.(a) The Commission by its letter No.JMCI/Records/N.Delhi/99-2000/37/559 dated February 18, 2001 has requested the Secretary, Ministry of External Affairs, Government of India, to kindly send a report to this Commission as quickly as possible on the following points :

- (a) What are the records of the U.N.O. examined and whether those are exhaustive on the subject of War Criminals of the Second World War ?

(b) Who are the present custodians of those records examined; and

(c) Whether the name of Shri Subhas Chandra Bose was ever included in any of the lists of War Criminals and, if so, when and under what circumstances the said name was deleted from such list/lists.

(b) The Secretary, Ministry of External Affairs, Government of India, was requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/375 dated October 22, 2001 to send as early as possible, preferably by the end of November, 2001, an authenticated true copy of the reply of the U.N. Secretariat to the purported formal request of the permanent Mission of India, New York, made to the U.N. Secretariat and an authenticated true copy of the documents based on which Indian Mission in Tokyo sent their confirmation as stated in the letter No. U II/103/1/98 dated October 15, 2001 of the Director, Ministry of External Affairs, Government of India.

The Director (CNV), Ministry of External Affairs, Government of India, with his d.o. letter No. 25/4/NGO-Vol. VII dated February 21, 2002 addressed to the Secretary of the Commission which has been received on 01.03.2002 has claimed to have sent a copy of the note recorded by an Officer of the rank of First Secretary of the Indian Mission in New York as also "authenticated true copies of documents based on which our Mission (i.e. Indian Mission) in Tokyo had sent the confirmation ^{that} that Netaji Subhas Chandra Bose's name did not figure in any list of War Criminals." Those documents are being examined by the Commission.

✓ 18.

As early as August 23, 2001, the Commission by its letter No. JMCI/Meeting-Proceedings (Follow Up)/48(Vol. II)/274 dated August 23, 2001 requested the Secretary, Ministry of Home Affairs, Government of India, to let the Commission know, within six weeks from the date of receipt thereof which of the files/records/documents mentioned in para (a)(i) and (a)(iii) of the proceedings dated March 23, 2000 of the Commission pertain to the Prime Minister's Office, which of

already
replied

Refer to para 2.2
Affidavit dt 19/12/2001

them pertain to the Ministry of Defence and which of them pertain to the Ministry of External Affairs, Government of India, to enable the Commission to take further action in the matter. No reply has yet been received from the Ministry of Home Affairs, Government of India.

Refer para 7 of affidavit dt 19/2/2001

19. By Commission's letter No.JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/228 dated August 1, 2001 sent by Registered Post with A/D. to the Ministry of Home Affairs, Government of India, it has been stated that it is not clear from their letter No.T/12014/10/2001-IS(D.III) dated July 4, 2001 whether or not the Ministry of Home Affairs, Government of India, is at all concerned in the matter of furnishing the documents mentioned and relied upon by the deponents referred to in Commission's letter No.JMCI/Affidavit-Averments (Follow Up)/2000-2001/-67/132 dated May 30, 2001 and they were requested to file a supporting affidavit in the matter by an Officer, not below the rank of Joint Secretary of the Department within four weeks from the date of receipt of this letter. A reminder was sent to the Ministry of Home Affairs, Government of India by Commission's letter No.JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/320 dated September 20, 2001 wherein they were also requested to indicate the name of the authority concerned of the Government of India against each of the documents mentioned and relied upon by the said deponents since those particulars are essentially required by the Commission to pursue effectively with the authorities concerned of the Government of India as advised by the Ministry of Home Affairs in the aforesaid letter dated July 4, 2001 for production before the Commission their respective documents concerned. The said report and the affidavit are yet to be received by the Commission from the Ministry of Home Affairs, Government of India.

20.(a) The Secretary, Ministry of Home Affairs has been requested to report to the Commission the action taken by the Government of India for verification of the news of imprisonment of Netaji in Russia as mentioned in cor.page 112 of Secret File No. 2(64)/56-68-PM of the Prime Minister's Office, the details of verification actually made and outcome thereof.

✓ (b) The Secretary, Ministry of Home Affairs, Government of India, has also been requested to send an authenticated true copy of the news which claimed that Netaji Subhas Chandra Bose had spoken from Moscow radio after the Taskent Agreement as mentioned at cor. page 153 of the Secret File No.2(64)/56-68-PM of the Prime Minister's Office, the full text of the radio speech, the full particulars of the student in the name of Subhas Chandra who allegedly made the broadcast and the true copy of the report sent by the Radio Moscow authority in the matter.

✓ (c) The Secretaries, Ministry of Home Affairs, and Ministry of External Affairs, Government of India, has been requested to report to the Commission the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P. (Lok Sabha) addressed to Shri V.V. Giri, the then President of India which is lying at cor. pages 177 and 177(a) of Prime Minister Office's Secret File No.2(64)/56-68-PM and the outcome thereof since the said letter appears to contain some important matters relevant for the purpose of inquiry of the Commission.

21.(a) The Secretary, Ministry of External Affairs, Government of India, has been requested to report to the Commission immediately the outcome of the action referred to in para 2 of the d.o. letter dated January 30, 1970 of the Director (EA), Ministry of External Affairs, addressed to Sri Srinivasabardhan, Joint Secretary, Ministry of Home Affairs, Government of India, lying at cor. page 27 of the Prime Minister Office's Secret File No.2(64)/56-70/PM-Pol. Vol.V as also to send authenticated xerox copies of the relevant documents, if any, received from the U.K., the U.S.A., the U.S.S.R., and Japan by the Ministry of External Affairs as a result of the action taken by them.

✓ (b) The Secretaries, Ministry of Home Affairs, and Prime Minister's Office, Government of India, have been requested to send to the Commission true copies of Vols. I and II of Prime Minister Office's File No.F-2(64)/56-66-PM and of Prime Minister's Office File No.2(67)/56-62-PM, referred to

in U.O. Note dated 04.08.1972 of the Prime Minister's Secretariat sent to the Ministry of Home Affairs, Government of India, lying at cor.page 64 of Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol.V and in the Khosla Commission's d.o. letter dated July 5, 1974 which is lying at cor.page 144 of Prime Minister Office's said Secret File.

✓(c) The Secretary, Ministry of Home Affairs, has been requested to report to the Commission immediately the action taken on the points made by Shri Samar Guha in his d.o. letter dated December 21, 1973 addressed to the Prime Minister (vide cor.pages 116 to 122) of Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol. V, other than those points of the said d.o. letter specifically dealt by Shri Tandon, Joint Secretary to the Prime Minister in his U.O. No. PMS-370 dated 05.01.1974 vide cor.page 164 of the said file.

(d) The Secretary, Prime Minister's Office is being requested to report immediately whether any reference was made by the Prime Minister's Office to the head of the Department, out of which the Prime Minister's Secretariat was created and/or to the head of the Department which became the custodian of the two documents mentioned at sub-paras (1) and (2) of the d.o. letter dated January 1, 1974 of the Private Secretary to the Prime Minister addressed to the Director, Nehru Memorial Museum and Library (vide cor.page 123 of Prime Minister Office's Secret File No. 2(64)/56-70-PM. Vol. V), consequent upon the creation of the Prime Minister's Secretariat, to locate the said two vital documents referred to at sub-paras (1) and (2) of the aforesaid d.o. letter dated January 1, 1974.

✓(e) The Secretaries, Ministry of Home Affairs, and the Prime Minister's Office are being requested to send to the Commission immediately an authenticated true copy of the answer of the Government to the Lok Sabha Starred Question D. No.3424 (vide cor. page 132) of the Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol. V as also of the Government notes on the supplementaries regarding the said Lok Sabha Questions.

22. The documents received from different Archives in the Russian Federation by the Russian Foreign Office at the behest of the Indian Mission in Moscow and sent to the Commission by the Ministry of External Affairs, Government of India, along with their English translation of those documents are required to be scrutinized by the Commission on getting proper verification of the correctness of the said English translation with the help of suitable translators from Russian to English. The Commission has already got some names of such translators.
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201

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Fax :
0091-033-252-2765

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail:

jmcinseba@cal3.vsnl.net.in

REGISTERED WITH A/D.

No. JMCI/Affidavit-Averments(Follow-Up)/ Kolkata, dated, 31st December'2001.
2000-2001/67/486.

93/ISUSD-IV/02
10/11

From : Shri M. Roy, IAS (Retd.),
Officer on Special Duty

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi- 110001.



218 R

Sir,

In inviting a reference to this office letter No. JMCI/Affidavit-Averments(Follow-Up)/2000-2001/67/361 dated 9.10.2001, I am directed to state that the reply thereto has not yet been received though the time limit of six weeks from the date of receipt of the letter was fixed for sending the reply and the said letter was received in the Ministry of Home Affairs on 31.10.2001.

I am, therefore, directed to request you to kindly expedite your reply.

Yours faithfully,

31.12.2001
(M. Roy)
Officer on Special Duty

MSH
MSH
MSH
1/SCW
08/11/02
US (DIV)
6/11/01
To M

By registered
post with A/D.

~~DOCS~~ ~~17/4/02~~ ~~12~~ 306
JUSTICE JKHHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail: jmcinseba@cal.3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMCI/Meeting-Proceeding(Follow-Up)/48/46
Kolkata, dated, April 29, 2002

From : Shri Manabendra Roy
Officer on Special Duty

To : The Secretary
Ministry of Home Affairs
Government of India
North Block
New Delhi-110001.

8852 R

S i r,

3 MAY 2002

I am directed to send herewith xerox copies
of the proceedings dated 21.3.2002 and 22.3.2002
together with a xerox copy of the Status Report
as on 19.3.2002 (forenoon) for necessary action at
your end.

Yours faithfully,

[Signature]

29.4.2002

(M. Roy)
Officer on Special Duty

Enclo: As stated above.

*Pl. put up
as the sub-file*

Sh. Manoj

307
JUSTICE M.K. MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated 21st March 2002 (Fourteenth-DI)
Held at the Seminar Hall, Annexe Building, Mahajati Sadan,
166, Chitta Ranjan Avenue, Kolkata-700007

✓ 21.03.2002

Of the six witnesses summoned to-day Shri Subrata Bose, Smt. Chitra Ghosh, Shri Supriyo Bose, Smt. Bithi Chatterjee and Shri Satyabrata Tapadar are present. Prayer for time by another witness summoned, Dr. Susanta Kr. Mitra, was allowed vide order dated 08.03.2002.

*No action by
MHA*

Smt. Bithi Chatterjee, Shri Subrata Bose, Smt. Chitra Ghosh and Shri Satyabrata Tapadar have been examined as CW.71, CW.72, CW.73 and CW.74 respectively. Shri Subrata Bose in his examination has testified that the statements made in the affidavit filed by him jointly with Smt. Chitra Ghosh and Shri Supriyo Bose before the Commission are correct. The affidavit is marked Exhibit 94. The signatures of Shri Subrata Bose (CW.72) and Smt. Chitra Ghosh (CW.73) on the affidavit have been marked Exhibits 94/1 and 94/2 respectively. A letter dated 01.12.95 written by Smt. Chitra Ghosh (CW.73) to the then Prime Minister has been marked Exhibit 95 (Xerox copy retained).

A ✓
Shri Supriyo Bose who filed the affidavit along with Shri Subrata Bose (CW.72) and Smt. Chitra Ghosh (CW.73) has not been examined as his evidence would be repetitive

to ✓
Shri Satya Brata Tapadar (CW.74) has asserted that his statement made in his affidavit filed on 28th January, 2000 and Supplementary affidavits filed on 11th April, 2000, 19th January, 2001 and 18th January, 2002 are correct. The said affidavit and the supplementary affidavits have been marked Exhibits 96, 97, 98 and 99 respectively. His signatures on the affidavit and on the respective supplementary affidavits have been marked Exhibits 96/1, 97/1, 98/1 and 99/1. The booklet titled as "What happened to Netaji after 18th August, 1945" authored and published by him is marked Exhibit 100.

✓
Status report as on 19.03.2002 (forenoon) prepared by the Commission has been circulated to all the parties present. Proceeding is adjourned till 11 AM to-morrow for hearing on Status Report.

Examined by 6.
(M. K. Mukherjee)
Chairman

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JUSTICE M.K. MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated 22nd March 2002 (Fourteenth-D2)
Held at the Seminar Hall, Annexe Building, Mahajati Sadan,
166, Chitta Ranjan Avenue, Kolkata-700007

22.03.2002

No response
by

At the outset, Commission wanted to know from Mr. Tarakeswar Pal, Ld. Senior Counsel of the Govt. of India, about the result of inquiry for finding out further relevant records, as two months' time prayed for by Smt. Sangeeta Gairola, Joint Secretary, Ministry of Home Affairs, Govt. of India on December 22nd, 2001 and allowed by the Commission, had already elapsed. Shri Pal informed the Commission that two Committees, one for searching the documents within the Ministry and the other for the other departments and the Ministries, had been formed, but the reports of the Committees had not yet reached the Ministry of Home Affairs. So there was the delay in intimating the Commission about the result of further inquiry. Commission expressed its displeasure for dealing with the matter in lackadaisical manner. Commission would pass necessary order, if need be, at the appropriate time.

fo —
The deponent Shri Nanda Lal Chakraborty, referring to page 1, paragraph 3, page 3, paragraphs 7(a)(i), 7(a)(ii), 7(a)(iv) of the Status Report, wanted to know about the compliance by the respective Ministry, Govt. of India and requested the Commission to take up the follow-up action where order of the Commission had not been complied with by the respective Ministries.

As regards paragraph 7(a)(i) of the Status Report, the Ministry of External Affairs filed an affidavit in compliance with the order of the Commission on their prayer at the last sitting in Delhi. They stated that they had no further documents. As regards paragraph 7(a)(ii) of the Status Report, in the paper received by the Commission nothing relevant to the terms of reference of the Commission was found.

AB —

Follow-up action, wherever necessary, would be taken up.

The deponent, Shri Nanda Lal Chakraborty and Shri Subrata Bose suggested that Commission should also visit Vietnam and Taiwan while visiting Japan, as Mrs. Prova Jagannathan did not appear before the Commission though she was summoned more than once.

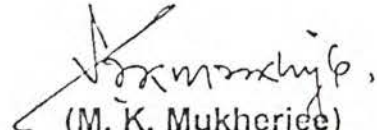
...2'

7 39
Shri Subrata Bose further suggested that notice regarding foreign visits by the Commission should be sent to the deponents sufficient ahead so that deponents could arrange for Visas, Passports, etc. to take part in the hearing of the Commission in Japan and other places abroad.

The suggestion would be considered at the appropriate time.

The deponent, Dr. Sushanta Kumar Mitra, pointed out a mistake in the last line but one of paragraph 13(b) at page 9 of the Status Report wherein "October 28, 1978" had been typed instead of "August 28, 1978."

The mistake was rectified accordingly.


(M. K. Mukherjee)
Chairman

Status Report as on 19.03.2002 (forenoon) showing action taken on/compliance with orders/directions including those contained in the proceedings dated December 20, 2001 read with the proceedings dated 23.03.2000, 13.06.2000, 31.08.2000, 28.09.2000, 23.11.2000, 22.12.2000, 17.01.2001, 04.04.2001, 13.06.2001, and 17.10.2001 of the Commission.

No response
recd.

Since done
by Arch.

Done
done

X

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1. Copies of the Status Report as on 12.12.2001 and copies of the proceedings dated 19.12.2001 and 20.12.2001 have been sent to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs, Prime Minister's Office, Cabinet Secretariat, Ministry of Defence, as also to the Director, Intelligence Bureau, and the Director General, National Archives of India under Commission's letter No.JMCI/Meeting-Proceedings (Follow Up)/48(Vol.III)/514(7) dated 16.01.2002 sent to them by Registered Post with A/D for their kind information and favour of taking necessary action.
2. As early as on September 5, 2001 the Director General of National Archives, Government of India, was requested by Commission by its d.o. No.JMCI/DOC(FOR)/99-2000/56(Vol.II)/286 of that date to inform the Commission whether they have obtained the Micro-Films/Micro-Fiches of the files/documents which were earmarked by the team of the Commission after their study of the relevant files/documents in the British Library and the Public Records Office and also authenticated xerox copies of the entire File No.K 148/A of Mountbatten papers in the Hartley Library of the Southampton University, all of which they (National Archives) undertook to furnish to the Commission. Even though six months have since elapsed those documents are yet to be received by the Commission.
3. The Secretary, Ministry of Home Affairs, Government of India, was requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37/305 dated September 18, 2001 to let the Commission know immediately what action was taken on the Rajya Sabha Starred Question No. DY. 2198 by Shri K.R. Malkani, M.P. due for answer on 06.03.1996 as mentioned at notesheet page 1 of Prime Minister's Office File No.915/II/C/6/96-Pol. as also on the letter dated November 20, 1996 of Shri Ramkrishna Hegde

addressed to the then President of India, indicating the results of the said actions. The Secretary, Ministry of Home Affairs was also requested in the said letter of the Commission to send to the Commission within six weeks an authenticated xerox copy of the information furnished by the Government of U.K. as stated in the letter dated 12.03.1999 of the Ministry of Home Affairs, appearing at cor.page 196 of the said file of the Prime Minister's Office. Copies of the aforesaid notesheet page and cor.page were enclosed with the Commission's said letter dated September 18, 2001. The information and documents called for are still awaited.

4. Further affidavit, as called for from the Ministry of Defence, Government of India, by Commission's letter No.JMCI/Record/-N.Delhi/99-2000/37/57 dated May 3, 2001 regarding existence/non-existence/availability/non-availability/destruction, etc. of the complete records of the proceedings of the trial of I.N.A. personnel, is still to be submitted by the said Ministry before the Commission.

5. A xerox copy of the report captioned, "Sleeping Bomb lies in Netaji Vault" authored by Shri Chandan Nandy was sent to the Secretary, Ministry of Home Affairs, Government of India, with Commission's letter No.JMCI/Records/N.Delhi/99-2000/-37/108 dated 28.05.2001 in terms of the letter No.10/SPS-11/-2001(20)-306 dated 17.05.2001 of the Cabinet Secretariat, Government of India, and the Secretary, Ministry of Home Affairs, was requested to furnish a detailed report on the contents of the said article of Shri Chandan Nandy which was published in the "Telegraph", Calcutta on March 26, 2001. The response of the Ministry of Home Affairs, Government of India, in the matter is still awaited.

6. In Commission's letter No.JMCI/Meeting-Hearing/99-2000/-57(Vol.II)/349 dated October 8, 2001 certain anomalies noticed in the photo copy of File No.915/II/C/6/96-Pol. of the Prime Minister's Office were pointed out to the Secretary of the Prime Minister's Office with the request to furnish necessary explanation/clarification in respect of the said anomalies within eight weeks from the date of receipt of the

letter. The said letter appears to have been received in the Prime Minister's Office on December 12, 2001. Their reply is still awaited.

MEAs has responded to the Commission

✓ 7.(a)(i) Shri Jayant Prasad, Joint Secretary, Ministry of External Affairs, prayed for two months' time at the time of his examination as a witness before the Commission on December 20, 2001, for filing a supplementary affidavit detailing the developments that have taken place since he filed his affidavit dated 14.12.2001 regarding availability of documents from foreign countries. The Hon'ble Chairman considered and allowed the prayer with the direction that he should also state in his supplementary affidavit whether there is any classified documents relating to the terms of reference of the Commission.

Resp by MEA

(a)(ii) The Director (CNV), Ministry of External Affairs, Government of India, in his d.o. letter No.25/4/NGO-Vol.VII dated February 21, 2002 addressed to the Secretary of the Commission has stated inter alia : "following the scrutiny of records" being relied upon by different deponents "It was found that only one document - a record of the interview of the then Ambassador to U.S.S.R., Shri K.P.S. Menon, with Stalin - pertained to this Ministry."

★

(a)(iii) The said record of the interview of Shri K.P.S. Menon with Stalin received by the Commission on February 7, 2002 from the Ministry of External Affairs, Government of India, in a sealed cover was opened and read by the Hon'ble Chairman, resealed in his presence and sent back to the Ministry of External Affairs on February 11, 2002 as the Hon'ble Chairman found the said record of interview to be having no relevance whatsoever to any of the terms of reference of this Commission.

✓

(a)(iv) A supplementary affidavit sworn by Shri Jayant Prasad, Joint Secretary (CNV), Ministry of External Affairs, Government of India, has been received on March 4, 2002 by the Commission. In this affidavit the said Joint Secretary has stated, inter alia, that there is no other documents in the Ministry, whether classified or unclassified, relating to the terms of

reference of this Commission; that the Indian Mission in Washington has informed the Ministry of External Affairs, Government of India that all documents once declassified by the U.S. Government are no longer retained by them and are normally stored in the National Archives, Library of Congress or other similar documentation centres; that the classified documents of the U.S. Government can be requisitioned under the U.S. Freedom of Information Act, only by giving specific details of the documents; and that the said Indian Mission has further conveyed that this is a tardy and complicated process.

✓ 7.(b) At the time of her examination before the Commission as a witness on December 20, 2001, Smt. Sangita Gairola, Jt. Secy., MHA, stated inter alia that a small Committee headed by the Deputy Secretary of the Ministry of Home Affairs has been formed by the Ministry to find out further relevant records and stated that they would require another two months to continue the inquiry to find out other relevant documents. Even though the said period of two months has expired, the result of the said inquiry by the Ministry of Home Affairs is still awaited.

✓ 8. On a petition filed on behalf of the Commission the Hon'ble Allahabad High Court (Lucknow Bench) has passed an order on February 6, 2002 and permitted the Commission to bring to its head office in Calcutta the sealed box containing the documents and articles selected by the Commission and kept in a Steel Box, out of the articles and documents allegedly belonging to 'Gumnamī Baba' and kept in the Steel Boxes in the District Treasury of Faizabad. Steps could not be taken to bring the said box containing the said selected articles and documents from the District Treasury of Faizabad to the Commission's head office in Calcutta with proper and adequate Police escort before completion of the elections to the Legislative Assembly of the U.P. which commenced on February 14, 2002. After completion of the said elections, some steps were taken for the aforesaid purpose; but the efforts in this regard had to be suspended because of the reported law and order situation in Faizabad. The efforts will be renewed as soon as the situation there becomes normal.

Action Completed by the Commission

9. The Secretary, Prime Minister's Office, has been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(Vol.II)/536 dated 29.01.2002 to kindly send to the Commission immediately authenticated xerox copies of the rules and procedures prescribed for destruction of files/documents since it appears from the purported xerox copies of file No.23(156)/51-PM of the Prime Minister's Office as also from their communication dated September 21, 2001 that a number of papers/files of the said office were destroyed.
- ✓ 10. It has been stated inter alia in the affidavit dated December 19, 2001 of Smt. Sangita Gairola, Joint Secretary (IS-I), Ministry of Home Affairs, Government of India :

(4)

"The averments and allegations made therein (i.e. in the affidavits and supplementary affidavits concerned) are matters of records and subject to the consideration by the Hon'ble Commission. Some of the records available with this Ministry have been made over to the Hon'ble Commission and some others have been discovered with this affidavit (i.e. her affidavit dated December 19, 2001) for consideration by the Hon'ble Commission; and that she has further stated therein that "the Ministry of Home Affairs has also taken up the matter with Ministry of External Affairs, Ministry of Defence, Intelligence Bureau, National Archives of India, and Prime Minister's Office, to go through the documents and if necessary submit an affidavit to the Commission directly."

Hence, the Secretaries of the Ministry of External Affairs, the Prime Minister's Office, and the Ministry of Defence as also the Director of Intelligence Bureau, and the Director General of National Archives of India have been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(Vol.II)/537 dated 29.01.2002 to send their respective affidavits immediately regarding the averments and allegations made in the relevant affidavits and supplementary affidavits of different deponents, the copies of which were furnished by the Commission with the Ministry of Home Affairs, Government of India.

✓ 11.(a) The Secretary, Ministry of Home Affairs, Government of India, has been requested by Commission's confidential letter No.JMCI/Records/2000-01/37(II)/533 dated January 28, 2002 to let the Commission know what was the outcome of the action, if any, taken on U.O. No.800/6/C/I/90-Pol. dated September 21, 1990 of the Prime Minister's Office addressed to Shri Naresh Chandra, the then Home Secretary, Government of India, wherewith a copy of the letter dated September 13, 1990 of Shri Amiya Nath Bose addressed to Shri V.P. Singh, the then Prime Minister of India and of the enclosure thereto which is a xerox copy of the news titled, "Fresh Clue on Netaji's Death" published in the "Times of India" (New Delhi) dated September 3, 1990 were sent to the Home Secretary, Government of India, for appropriate action. It was also stated in the said letter dated 28.01.2002 of the Commission that the said letter dated September 13, 1990 of Shri Amiya Nath Bose with its enclosure and the said note dated September 21, 1990 are available in File No.800/6/C/I/90-Pol. of the Prime Minister's Office, on the subject, "Netaji Subhas Bose - Bringing in the ashes of".

Response by P.M.O.
(b) The Secretary, Ministry of External Affairs, Government of India, has been requested by Commission's confidential letter No.JMCI/Records/2000-01/37(II)/532 dated January 28, 2002 to let the Commission know as quickly as possible what was the outcome of the action, if any, taken on U.O. No.800/6/C/I/90-Pol. dated May 23, 1990 of the Prime Minister's Office endorsed to the Joint Secretary (EA), Ministry of External Affairs, Government of India, wherewith copies of the letter dated May 11, 1990 of Shri Amiya Nath Bose, the reply dated May 19, 1990 thereto given by Shri R. Sen, Joint Secretary of the Prime Minister's Office as also of the letter dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India jointly authored by Shri Ashok Nath Bose, Shri Amiya Nath Bose and Shri Subrata Bose, all nephews of Netaji Subhas Chandra Bose, were sent to bring those to the attention of the Ministry of External Affairs, Government of India. It was stated

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in the said letter of the Commission that xerox copies of the aforesaid letters and the note are available in the File No.800/6/C/I/90-Pol. of the Prime Minister's Office.

(c) The Director, Press Information Bureau, Government of India, has been requested by Commission's confidential letter No.JMCI/Records/2000-01/37(II)/531 dated January 28, 2001 to find out and furnish this Commission with an authenticated true copy of the Press statement, if any, of Mahatma Gandhi which is alleged in the letter dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India, authored jointly by Shri Ashok Nath Bose, Shri Amiya Nath Bose, and Shri Subrata Bose, all nephews of Netaji Subhas Chandra Bose, to have been made in 1945 by Mahatma Gandhi to the effect that Netaji did not die in any air-crash on August 18, 1945, after he spoke in detail to Col. Habibur Rahman regarding alleged death of Netaji in an air-crash on August 18, 1945.

(d) A xerox copy of a letter dated May 4, 1990 of Sarbashree Ashok Nath Bose, Amiya Nath Bose, and Subrata Bose addressed to Shri V.P. Singh, the then Prime Minister of India, which appears at cor.pages 3 to 5 of file No. 800/6/C/1/90-Pol., of the Prime Minister's Office on the subject, "Netaji Subhas Bose - Bringing in the ashes of" has been sent to the Secretary, Ministry of External Affairs, Government of India, with Commission's confidential letter No.JMCI/Records/2000-01/37(II)/529 dated January 28, 2002 with the request to kindly procure and furnish this Commission as quickly as possible with an authenticated true copy of the report of the American Intelligence Party, as referred to in the said letter dated May 4, 1990, which allegedly went to Taihoku airport from Mc. Arthur's headquarters to make inquiries about the alleged air-crash at Taihoku on August 18, 1945.

12. During the visit of the Commission to London in July, 2001 some of the files of the Intelligence and Security Agencies of the Government of the U.K. relating to the relevant period were not allowed to be perused by the Commission on

*Response
sent by
MCA*

the ground that those were classified confidential files under the order of the Lord Chancellor. The matter was taken up by the Hon'ble Chairman at personal level with the Lord Archer who assured the Commission that he would take up the matter with the Lord Chancellor. The letter dated December 1, 2001 of the Lord Chancellor addressed to the Lord Archer shows inter alia that those confidential files would not be made available to the Commission and that those files contain no information which is not already made available to the Commission. Lord Archer has been requested by the Hon'ble Chairman in his d.o. No. JMCI/Chairman's Correspondence/2000-01/71/541 dated January 31, 2002 to kindly impress upon the Lord Chancellor to give the Commission an access to those retained papers which may, hopefully, furnish some materials regarding the alleged disappearance of Netaji Subhas Chandra Bose and thereby remove all sorts of speculations and doubts in this regard. The request has not yet been heeded to.

- ✓ 13.(a) Shri Jarnail Singh, Joint Secretary to the Prime Minister's Office, has been requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/543 dated February 1, 2002 to clarify immediately to the satisfaction of the Commission his statement made in his affidavit dated December 18, 2001 filed before the Commission on December 20, 2001 that the Prime Minister's Office : "is not in a position to provide any clarifications/explanation regarding the circumstances under which Late Morarji Desai, the then Prime Minister, had made such statement on the floor of the Parliament" viz., "some further contemporary official documentary records have also become available", in view of the notes and remarks at cor. pages 26 and 27 of the Secret File No. 2/64/78-PM on the subject, "N.S.C. Bose" received by the Commission from the Prime Minister's Office which appear to show that there were official documents, notes and orders which led the then Prime Minister, Shri Morarji Desai, to make the said statement on August 28, 1978, on the floor of the Parliament (Lok Sabha).

*Response by
P.M.O.*

Adm. By
P. no.

(b) The Secretary, Prime Minister's Office was requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/-37(II)/535 dated January 29, 2002 to send to the Commission immediately authenticated xerox copies of the Parliamentary proceedings (Lok Sabha) dated August 28, 1978 as also of the notes of the Prime Minister's Office on the subject matter discussed in the Lok Sabha on August 28, 1978 including the matter of disappearance of Netaji Subhas Chandra Bose on which Late Morarji Desai, the then Prime Minister, made his statement on the floor of the Lok Sabha on August 28, 1978.

The Director (LARRTIS) Lok Sabha Secretariat, New Delhi, as requested by the Prime Minister's Office in PMO ID. No. Pt.915/11/C/2/2000-Pol. dated 25.02.2002 has been requested to send immediately authenticated xerox copies of the Parliamentary proceedings (Lok Sabha) dated ^{August} ~~October~~ 28, 1978 and of other papers, if any, connected therewith.

✓ 14. The Secretaries, Ministry of Home Affairs, and Ministry of Information and Broadcasting, Government of India, have been furnished with a copy of the d.o. letter dated February 3, 1978 of Shri R.C. Mazumder (renowned historian) addressed to Shri Morarji Desai, the then Prime Minister of India and of the notes of Shri Mazumder annexed thereto appearing at cor. pages 16 to 20 of the Secret File No. 2/64/78-PM of the Prime Minister's Office and were requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/542 dated February 1, 2002 to kindly furnish the Commission as quickly as possible with documents or authenticated xerox copies thereof relevant to the various contentions of the said letter of Shri Mazumder which appear to be relevant to the terms of reference of the Commission. The documents/authenticated copies called for from them are awaited.

✓ 15. The Secretary, Ministry of Home Affairs, Government of India, has been requested by the Commission's letter No. JMCI/Records/-N.Delhi/99-2000/37(II)/534 dated January 29, 2002 to make available for perusal of the authorised representative(s) of the Commission, Vol. Nos. XVIII, XIX, and XXII and other Volumes (excepting first 17 Volumes) along with other relevant

files/documents/records pertaining to the Khosla Commission which have not yet been sent to this Commission. The response of the Ministry of Home Affairs in the matter is awaited.

16. In reply to d.o. letter No.25/4/NGO-Vol.VII dated December 18, 2001 of the Director, (C.N.V.), Ministry of External Affairs, Government of India, the Secretary of the Commission by his d.o. No.JMCI/Overseas-Witnesses/2000-01/70/499 dated January 9, 2002 has intimated the Director, (C.N.V.) that the Commission proposes to visit Japan in the second half of March, 2002 and that the tour programme in details will be drawn up and communicated to the Ministry of External Affairs after receiving the requisite details sought for by the Commission from them.

In reply to two d.o. letters both bearing No.25/4/NGO-Vol.VII dated February 21, 2002 regarding proposed visit of the Commission to Japan to examine - (a) the Witnesses in Japan, and (b) the Witnesses in Taiwan respectively of the Director (CNV), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission, the Secretary, Ministry of External Affairs has been stated inter alia by Commission's letter No.JMCI/Overseas-Witnesses/2000-01/70/600 and No.JMCI/Overseas-Witnesses/2000-01/70/601 both dated March 14, 2001 that the Commission does not possess any further details of the witnesses in Taiwan and has been requested to explore all resources at the disposal of the Ministry of External Affairs to get the addresses and further details of the witnesses in Taiwan and to expedite the matter so that the Commission can visit Japan and Taiwan for examination of ^{the} witnesses available there and inspect the places relevant to the points of inquiry as quickly as possible.

- 17.(a) The Commission by its letter No.JMCI/Records/N.Delhi/99-2000/37/559 dated February 18, 2001 has requested the Secretary, Ministry of External Affairs, Government of India, to kindly send a report to this Commission as quickly as possible on the following points :

- (a) What are the records of the U.N.O. examined and whether those are exhaustive on the subject of War Criminals of the Second World War ?

(b) Who are the present custodians of those records examined; and

(c) Whether the name of Shri Subhas Chandra Bose was ever included in any of the lists of War Criminals and, if so, when and under what circumstances the said name was deleted from such list/~~lists~~.

Response received.

(b) The Secretary, Ministry of External Affairs, Government of India, was requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/375 dated October 22, 2001 to send as early as possible, preferably by the end of November, 2001, an authenticated true copy of the reply of the U.N. Secretariat to the purported formal request of the permanent Mission of India, New York, made to the U.N. Secretariat and an authenticated true copy of the documents based on which Indian Mission in Tokyo sent their confirmation as stated in the letter No. U II/103/1/98 dated October 15, 2001 of the Director, Ministry of External Affairs, Government of India.

Response by M.E.A.

The Director (CNV), Ministry of External Affairs, Government of India, with his d.o. letter No. 25/4/NGO-Vol.VII dated February 21, 2002 addressed to the Secretary of the Commission which has been received on 01.03.2002 has claimed to have sent a copy of the note recorded by an Officer of the rank of First Secretary of the Indian Mission in New York as also "authenticated true copies of documents based on which our Mission (i.e. Indian Mission) in Tokyo had sent the confirmation ^{that} Netaji Subhas Chandra Bose's name did not figure in any list of War Criminals." Those documents are being examined by the Commission.

✓ 185 As early as August 23, 2001, the Commission by its letter No. JMCI/Meeting-Proceedings (Follow Up)/48(Vol.II)/274 dated August 23, 2001 requested the Secretary, Ministry of Home Affairs, Government of India, to let the Commission know, within six weeks from the date of receipt thereof which of the files/records/documents mentioned in para (a)(i) and (a)(iii) of the proceedings dated March 23, 2000 of the Commission pertain to the Prime Minister's Office, which of

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them pertain to the Ministry of Defence and which of them pertain to the Ministry of External Affairs, Government of India, to enable the Commission to take further action in the matter. No reply has yet been received from the Ministry of Home Affairs, Government of India.

✓ 19. By Commission's letter No.JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/228 dated August 1, 2001 sent by Registered Post with A/D. to the Ministry of Home Affairs, Government of India, it has been stated that it is not clear from their letter No.I/12014/10/2001-IS(D.III) dated July 4, 2001 whether or not the Ministry of Home Affairs, Government of India, is at all concerned in the matter of furnishing the documents mentioned and relied upon by the deponents referred to in Commission's letter No.JMCI/Affidavit-Averments (Follow Up)/2000-2001/-67/132 dated May 30, 2001 and they were requested to file a supporting affidavit in the matter by an Officer, not below the rank of Joint Secretary of the Department within four weeks from the date of receipt of this letter. A reminder was sent to the Ministry of Home Affairs, Government of India by Commission's letter No.JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/320 dated September 20, 2001 wherein they were also requested to indicate the name of the authority concerned of the Government of India against each of the documents mentioned and relied upon by the said deponents since those particulars are essentially required by the Commission to pursue effectively with the authorities concerned of the Government of India as advised by the Ministry of Home Affairs in the aforesaid letter dated July 4, 2001 for production before the Commission their respective documents concerned. The said report and the affidavit are yet to be received by the Commission from the Ministry of Home Affairs, Government of India.

✓ 20.(a) The Secretary, Ministry of Home Affairs has been requested to report to the Commission the action taken by the Government of India for verification of the news of imprisonment of Netaji in Russia as mentioned in cor.page 112 of Secret File No. 2(64)/56-68-PM of the Prime Minister's Office, the details of verification actually made and outcome thereof.

(11) The Secretary, Ministry of Home Affairs, Government of India, has also been requested to send an authenticated true copy of the news which claimed that Netaji Subhas Chandra Bose had spoken from Moscow radio after the Taskent Agreement as mentioned at cor. page 153 of the Secret File No.2(64)/56-68-PM of the Prime Minister's Office, the full text of the radio speech, the full particulars of the student in the name of Subhas Chandra who allegedly made the broadcast and the true copy of the report sent by the Radio Moscow authority in the matter.

(12) The Secretaries, Ministry of Home Affairs, and Ministry of External Affairs, Government of India, has been requested to report to the Commission the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P. (Lok Sabha) addressed to Shri V.V. Giri, the then President of India which is lying at cor. pages 177 and 177(a) of Prime Minister Office's Secret File No.2(64)/56-68-PM and the outcome thereof since the said letter appears to contain some important matters relevant for the purpose of inquiry of the Commission.

✓ 21.(a) The Secretary, Ministry of External Affairs, Government of India, has been requested to report to the Commission immediately the outcome of the action referred to in para 2 of the d.o. letter dated January 30, 1970 of the Director (EA), Ministry of External Affairs, addressed to Sri Srinivasabardhan, Joint Secretary, Ministry of Home Affairs, Government of India, lying at cor. page 27 of the Prime Minister Office's Secret File No.2(64)/56-70/PM-Pol. Vol.V as also to send authenticated xerox copies of the relevant documents, if any, received from the U.K., the U.S.A., the U.S.S.R., and Japan by the Ministry of External Affairs as a result of the action taken by them.

Response by M.E.A.

(13) (b) The Secretaries, Ministry of Home Affairs, and Prime Minister's Office, Government of India, have been requested to send to the Commission true copies of Vols. I and II of Prime Minister Office's File No.F-2(64)/56-66-PM and of Prime Minister's Office File No.2(67)/56-62-PM, referred to

in U.O. Note dated 04.08.1972 of the Prime Minister's Secretariat sent to the Ministry of Home Affairs, Government of India, lying at cor.page 64 of Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol.V and in the Khosla Commission's d.o. letter dated July 5, 1974 which is lying at cor.page 144 of Prime Minister Office's said Secret File.

(c) The Secretary, Ministry of Home Affairs, has been requested to report to the Commission immediately the action taken on the points made by Shri Samar Guha in his d.o. letter dated December 21, 1973 addressed to the Prime Minister (vide cor.pages 116 to 122) of Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol. V, other than those points of the said d.o. letter specifically dealt by Shri Tandon, Joint Secretary to the Prime Minister in his U.O. No. PMS-370 dated 05.01.1974 vide cor.page 164 of the said file.

(d) The Secretary, Prime Minister's Office is being requested to report immediately whether any reference was made by the Prime Minister's Office to the head of the Department, out of which the Prime Minister's Secretariat was created and/or to the head of the Department which became the custodian of the two documents mentioned at sub-paras (1) and (2) of the d.o. letter dated January 1, 1974 of the Private Secretary to the Prime Minister addressed to the Director, Nehru Memorial Museum and Library (vide cor.page 123 of Prime Minister Office's Secret File No. 2(64)/56-70-PM. Vol. V), consequent upon the creation of the Prime Minister's Secretariat, to locate the said two vital documents referred to at sub-paras (1) and (2) of the aforesaid d.o. letter dated January 1, 1974.

(e) The Secretaries, Ministry of Home Affairs, and the Prime Minister's Office are being requested to send to the Commission immediately an authenticated true copy of the answer of the Government to the Lok Sabha Starred Question D. No.3424 (vide cor. page 132) of the Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol. V as also of the Government notes on the supplementaries regarding the said Lok Sabha Questions.

The documents received from different Archives in the Russian Federation by the Russian Foreign Office at the behest of the Indian Mission in Moscow and sent to the Commission by the Ministry of External Affairs, Government of India, along with their English translation of those documents are required to be scrutinized by the Commission on getting proper verification of the correctness of the said English translation with the help of suitable translators from Russian to English. The Commission has already got some names of such translators.

250/20/15-1/02
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Fax :
0091-033-252-2765

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JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087
REGISTERED WITH A/D.

2178/15USD-1/02
13/5
Phone:
Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2760
e-mail :
jmc@cal3.vsnl.net.in

No. JMCI/ Stat.Rept./99-2000/33A/66

Kolkata, dated, 03. 05. 2002.

2178/15USD-1/02
13/5
From : Shri M. Roy, IAS (Retd.),
Officer on Special Duty

To : Shri Mukesh Mittal,
Deputy Secretary (IS-I),
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

Sub : Status Report from 01.04.2002
to 30.04.2002.

Ref : Your office letter No.I/12014/1/
2000-IS (D.III) dt. 07.02.2000.

S i r,

I am directed to forward herewith a 'Status Report' of the Secretary of Justice Mukherjee Commission of Inquiry, for necessary action at your end.

Yours faithfully,

(M. Roy)

Encl : As stated above. Officer on Special Duty

US(DIV)
Pl. discuss with
relevant files. we have
already prepared ATR (draft)
highlight paras which
concern MHA. This is to
be discussed urgently
after (on 14/5/02).

US DIV

13/5

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Justice Mukherjee Commission of Inquiry
For Inquiry into the Alleged Disappearance of
Netaji Subhas Chandra Bose
'B' Block, (3rd floor)
11/A, Mirza Ghalib Street, Kolkata-700 087.

STATUS REPORT

(From 01.04.2002 to 30.04.2002)

- Needs no
Comments
1. This Status Report is in continuation of the earlier Status Report forwarded under Commission's letter No. JMCI/Stat.Rept./99-2000/33A/33 dated 19.04.2002.
 2. Copies of the proceedings dated 21.03.2002 and 22.03.2002 of the Commission and copies of the Status Report as on 19.03.2002 (forenoon) showing action taken on/compliance with orders/directions including those contained in all the earlier proceedings of the Commission were sent to the Secretaries of Ministry of Home Affairs, Ministry of External Affairs, Prime Minister's Office, Cabinet Secretariat, Ministry of Defence, as also to the Director General, National Archives of India and the Director, Intelligence Bureau, Government of India, under Commission's letter Nos. 46,47,48,49,50,51 and 52, all dated 29.04.2002.
 3. The Secretary, Ministry of Home Affairs, Government of India, was requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/305 dated September 18, 2001 to let the Commission know immediately what action was taken on the Rajya Sabha Starred Question No. DY. 2198 by Shri K.R. Malkani, M.P. due for answer on 06.03.1996 as mentioned at notesheet page 1 of Prime Minister's Office File No.915/II/C/6/96-Pol. as also on the letter dated November 20, 1996 of Shri Ramkrishna Hegde addressed to the then President of India, indicating the results of the said actions. The Secretary, Ministry of Home Affairs was also requested in the said letter of the Commission to send to the Commission within six weeks an authenticated xerox copy of the information furnished by the Government of U.K. as stated in the letter dated 12.03.1999 of the Ministry of Home Affairs, appearing at cor. page 196 of the said file of the Prime Minister's Office. Copies of the aforesaid

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notesheet page and cor. page were enclosed with the Commission's said letter dated September 18, 2001. The information and documents called for are still awaited.

4. Further affidavit, as called for from the Ministry of Defence, Government of India, by Commission's letter No. JMCI/Record/N.Delhi/99-2000/37/57 dated May 3, 2001 regarding existence/non-existence/availability/non-availability/destruction, etc. of the complete records of the proceedings of the trial of I.N.A. personnel, is still to be submitted by the said Ministry before the Commission.

Action
w/o Defence
Matter need be
taken up directly
with MoD by
JMCI

MHA
Reply sent to JMCI

Reply sent
on 13.7.2001.
slip 15

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5. A xerox copy of the report captioned, "Sleeping Bomb lies in Netaji Vault" authored by Shri Chandan Nandy was sent to the Secretary, Ministry of Home Affairs, Government of India, with Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/108 dated 28.05.2001 in terms of the letter No. 10/SPS-11/2001(20)-306 dated 17.05.2001 of the Cabinet Secretariat, Government of India, and the Secretary, Ministry of Home Affairs, was requested to furnish a detailed report on the contents of the said article of Shri Chandan Nandy which was published in "The Telegraph", Calcutta on March 26, 2001. The response of the Ministry of Home Affairs, Government of India, in the matter is still awaited.
6. In Commission's letter No. JMCI/Meeting-Hearing/99-2000/57(Vol.II)/349 dated October 8, 2001 certain anomalies noticed in the photo copy of File No. 915/II/C/6/96-Pol. of the Prime Minister's Office were pointed out to the Secretary of the Prime Minister's Office with the request to furnish necessary explanation/clarification in respect of the said anomalies within eight weeks from the date of receipt of the letter. The said letter appears to have been received in the Prime Minister's Office on December 12, 2001. Their reply is still awaited.

7. The Secretary, Prime Minister's Office, has been requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(Vol. II)/~~51~~ 536 dated 29.01.2002 to kindly send to the Commission immediately authenticated xerox copies of the rules and procedures prescribed for destruction of files/documents since it appears from the purported xerox copies of file No. 23(156)/51-PM of the Prime Minister's Office as also from their communication dated September 21, 2001 that a number of paper/files of the said office were destroyed.

8. It has been stated inter alia in the affidavit dated December 19, 2001 of Smt. Sangita Gairola, Joint Secretary (IS-I), Ministry of Home Affairs, Government of India :

"The averments and allegations made therein (i.e. in the affidavits and supplementary affidavits concerned) are matters of records and subject to the consideration by the Hon'ble Commission. Some of the records available with this Ministry have been made over to the Hon'ble Commission and some others have been discovered with this affidavit (i.e. her affidavit dated December 19, 2001) for consideration by the Hon'ble Commission; and that she has further stated therein that "the Ministry of Home Affairs has also taken up the matter with Ministry of External Affairs, Ministry of Defence, Intelligence Bureau, National Archives of India, and Prime Minister's Office, to go through the documents and if necessary submit an affidavit to the Commission directly."

Hence, the Secretaries of the Ministry of External Affairs, the Prime Minister's Office, and the Ministry of Defence as also the Director of Intelligence Bureau, and the Director General of National Archives of India have been requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(Vol. II)/537 dated 29.01.2002 to send their respective affidavits immediately regarding the averments and allegations made in the relevant affidavits and supplementary affidavits of different deponents, the

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Defence
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National Archives

copies of which were furnished by the Commission with the Ministry of Home Affairs, Government of India. The Ministry of Home Affairs was also requested by Commission's letter No.JMCI/Meeting-Proceedings (Follow Up)/48(Vol.II)/505 dated 11.01.2002 followed up by a reminder dated 01.03.2002 to send affidavits/supplementary affidavits as also to furnish the original or authenticated copies of the documents mentioned in the affidavits/supplementary affidavits of the deponents concerned. Those are yet to be received from them.

- ✓ 9.(a) The Secretary, Ministry of Home Affairs, Government of India, has been requested by Commission's confidential letter No.JMCI/Records/2000-01/37(II)/533 dated January 28, 2002 to let the Commission know what was the outcome of the action, if any, taken on U.O. No.800/6/C/I/90-Pol. dated September 21, 1990 of the Prime Minister's Office addressed to Shri Naresh Chandra, the then Home Secretary, Government of India, wherewith a copy of the letter dated September 13, 1990 of Shri Amiya Nath Bose addressed to Shri V.P. Singh, the then Prime Minister of India and of the enclosure thereto which is a xerox copy of the news titled, "Fresh Clue on Netaji's Death" published in the "Times of India" (New Delhi) ~~xx~~ dated September 3, 1990 were sent to the Home Secretary, Government of India, for appropriate action. It was also stated in the said letter dated 28.01.2002 of the Commission that the said letter dated September 13, 1990 of Shri Amiya Nath Bose with its enclosure and the said note dated September 21, 1990 are available in File No. ~~22~~ 800/6/C/I/90-Pol. of the Prime Minister's Office, on the subject, "Netaji Subhas Bose - Bringing in the ashes of".

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- (b) The Secretary, Ministry of External Affairs, Government of India, has been requested by Commission's confidential letter No.JMCI/Records/2000-01/37(II)/532 dated January 28, 2002 to let the Commission know as quickly as possible what was the outcome of the action, if any, taken on U.O.No.800/6/C/I/90-Pol. dated May 23, 1990 of the

Prime Minister's Office endorsed to the Joint Secretary(EA), Ministry of External Affairs, Government of India, wherewith copies of the letter dated May 11, 1990 of Shri Amiya Nath Bose, the reply dated May 19, 1990 thereto given by Shri R. Sen, Joint Secretary of the Prime Minister's Office as also of the letter dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India, jointly authored by Shri Ashok Nath Bose, Shri Amiya Nath Bose and Shri Subrata Bose, all nephews of Netaji Subhas Chandra Bose, were sent to bring those to the attention of the Ministry of External Affairs, Government of India. It was stated in the said letter of the Commission that xerox copies of the aforesaid letters and the note are available in the File No. 800/6/C/I/90-Pol. of the Prime Minister's Office.

- PIB
IEB
- (c) The Director, Press Information Bureau, Government of India, has been requested by Commission's confidential letter No. JMCI/Records/2000-01/37(II)/531 dated January 28, 2001 to find out and furnish this Commission with an authenticated true copy of the Press statement, if any, of Mahatma Gandhi which is alleged in the letter dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India, authored jointly by Shri Ashok Nath Bose, Shri Amiya Nath Bose, and Shri Subrata Bose, all nephews of Netaji Subhas Chandra Bose, to have been made in 1945 by Mahatma Gandhi to the effect that Netaji did not die in any air-crash on August 18, 1945, after he spoke in detail to Col. Habibur Rahman regarding alleged death of Netaji in an air-crash on August 18, 1945.

As advised by the Director, Public Relations to the Prime Minister in his d.o. letter dated 03.04.2002 addressed to the Secretary of the Commission in reply to Commission's letter No. JMCI/Records/2000-01/33(II)/531 dated January 28, 2002 addressed to the Director, Press Information Bureau, Government of India, the Director, Publication Division, Ministry of Information and

Broadcasting, Government of India, has been requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/35 dated April 19, 2002 to find out whether there was any such Press statement of Mahatma Gandhi and if so, to furnish this Commission with an authenticated true copy of the said Press statement.

- (d) A xerox copy of a letter dated May 4, 1990 of Sarbashree Ashok Nath Bose, Amiya Nath Bose, and Subrata Bose addressed to Shri V.P. Singh, the then Prime Minister of India, which appears at cor. pages 3 to 5 of file No. 800/6/C/1/90-Pol., of the Prime Minister's Office on the subject, "Netaji Subhas Bose - Bringing in the ashes of" has been sent to the Secretary, Ministry of External Affairs, Government of India, with Commission's confidential letter No. JMCI/Records/2000-01/37(II)/529 dated January 28, 2002 with the request to kindly procure and furnish this Commission as quickly as possible with an authenticated true copy of the report of the American Intelligence Party, as referred to in the said letter dated May 4, 1990, which allegedly went to Taihoku airport from Mc. Arthur's headquarters to make inquiries about the alleged air-crash at Taihoku on August 18, 1945.

Shri Jayant Prasad, Joint Secretary (AMS & CNV), Ministry of External Affairs, Government of India, with his d.o. letter No. 25/4/NGO-Vol. VII dated March 31, 2001 received by the Commission on 19.04.2002 has enclosed a copy of the note of the Prime Minister's Office bearing No. PMO ID No. 915/11/C/5/2001-Pol. dated March 7, 2002 endorsed to the Director (CNV), Ministry of External Affairs, which states inter alia that the authenticated true copy of the aforesaid report of the American Intelligence Party is not available with the Prime Minister's Office. Shri Jayant Prasad, Joint Secretary, (CNV), Ministry of External Affairs, Government of

India, in his affidavit dated 01.04.2002 filed before this Commission has stated inter alia : "No further documents relating to the point of inquiry of the Commission save and except the record of the interview of Shri K.P.S. Menon with Stalin is available in the possession and/or under the control of the Ministry of External Affairs."

10. During the visit of the Commission to London in July, 2001 some of the files of the Intelligence and Security Agencies of the Government of the U.K. relating to the relevant period were not allowed to be ~~perused~~ perused by the Commission on the ground that those were classified confidential files under the order of the Lord Chancellor. The matter was taken up by the Hon'ble Chairman at personal ~~level~~ level with the Lord Archer who assured the Commission that he would take up the matter with the Lord Chancellor. The letter dated December 1, 2001 of the Lord Chancellor addressed to the Lord Archer shows inter alia that those confidential files would not be made available to the Commission and that those files contain no information which is not already made available to the Commission. Lord Archer has been requested by the Hon'ble Chairman in his d.o. No.JMCI/Chairman's Correspondence/2000-01/71/541 dated January 31, 2002 to kindly impress upon the Lord Chancellor to give the Commission an access to those retained papers which may, hopefully, furnish some materials regarding the alleged disappearance of Netaji Subhas Chandra Bose and thereby remove all sorts of speculations and doubts in this regard. The request has not yet been heeded to.

JMCI
seized of
the matter

11. The Secretary, Prime Minister's Office was requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(II)/535 dated January 29, 2002 to send to the Commission immediately authenticated xerox copies of the Parliamentary proceedings (Lok Sabha) dated

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August 28, 1978 as also of the notes of the Prime Minister's Office on the subject matter discussed in the Lok Sabha on August 28, 1978 including the matter of disappearance of Netaji Subhas Chandra Bose on which Late Morarji Desai, the then Prime Minister, made his statement on the floor of the Lok Sabha on August 28, 1978.

The Director (LARTIS) Lok Sabha Secretariat, New Delhi, as requested by the Prime Minister's Office in PMO ID No. Pt.915/11/C/2/2000-Pol. dated 25.02.2002 has been requested to send immediately authenticated xerox copies of the Parliamentary proceedings (Lok Sabha) dated August 28, 1978 and of other papers, if any connected therewith.

The xerox copies of the relevant portion of the said proceedings have been received on 29.04.2002 from the Lok Sabha Secretariat with their letter No.505/OVD/2002/ED dated April 23, 2002. The same is being examined.

✓ 12.

The Secretaries, Ministry of Home Affairs, and Ministry of Information and Broadcasting, Government of India, have been furnished with a copy of the d.o. letter dated February 3, 1978 of Shri R.C. Mazumder (renowned historian) addressed to Shri Morarji Desai, the then Prime Minister of India and of the notes of Shri Mazumder annexed thereto appearing at cor. pages 16 to 20 of the Secret File No.2/64/78-PM of the Prime Minister's Office and were requested by Commission's letter No.JMCI/Records/N,Delhi/99-2000/37(II)/542 dated February 1, 2002 to kindly furnish the Commission as quickly as possible with documents or authenticated xerox copies thereof relevant to the various contentions of the said letter of Shri Mazumder which appear to be relevant to the terms of reference of the Commission. The documents/authenticated copies called for from them are awaited.

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para 12 draft
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✓ 13.
para 5
of draft

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13. The Secretary, Ministry of Home Affairs, Government of India, has been requested by the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/534 dated January 29, 2002 to make available for perusal of the authorised representative(s) of the Commission, Vol. Nos. XVIII, XIX, and XXII and other Volumes (excepting first 17 Volumes) along with other relevant files/documents/records pertaining to the Khosla Commission which have not yet been sent to this Commission. The response of the Ministry of Home Affairs in the matter is awaited.

MEA

14. In reply to two d.o. letters both bearing No.25/4/NGO-Vol.VII dated February 21, 2002 regarding proposed visit of the Commission to Japan to examine - (a) the Witnesses in Japan, and (b) the Witnesses in Taiwan respectively, of the Director (CNV), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission, the Secretary, Ministry of External Affairs has been stated inter alia by Commission's letters No. JMCI/Overseas-Witnesses/2000-01/70/600 and No.JMCI/Overseas-Witness/2000-01/70/601 both dated March 14, 2001 that the Commission does not possess any further details of the witnesses in Taiwan and has been requested to explore all resources at the disposal of the Ministry of External Affairs to get the addresses and further details of the witnesses in Taiwan and to expedite the matter so that the Commission can visit Japan and Taiwan for examination of the witnesses available there and inspect the places relevant to the points of inquiry as quickly as possible.

In reply to d.o. letter No.25/4/NGO-Vol.VII dated March 1, 2002 of the Director (CNV), Ministry of External Affairs, Government of India, she was requested by the Secretary of the Commission in his d.o. letter No. JMCI/Overseas/Witness/2000-01/70/629 dated March 26, 2002 to let the Commission know as early as possible the name of the Japanese witness who is willing to depose before the Commission and the names of the

witnesses in Japan who are not willing to formally depose, but may be available for interaction with the Commission as intimated in the aforesaid d.o. dated March 1, 2002.

✓ 15.(a) The Secretary, Ministry of Home Affairs has been requested on 14.03.2002 to report to the Commission the action taken by the Government of India for verification of the news of imprisonment of Netaji in Russia as mentioned in cor.page 112 of Secret File No.2(64)/56-68-PM of the Prime Minister's Office, the details of verification actually made and outcome thereof.

✓ (b) The Secretary, Ministry of Home Affairs, Government of India, has also been requested on 14.03.2002 to send an authenticated true copy of the news which claimed that Netaji Subhas Chandra Bose had spoken from Moscow radio after the Taskent Agreement as mentioned at cor.page 153 of the Secret File No.2(64)/56-68-PM of the Prime Minister's Office, the full text of the radio speech, the full particulars of the student in the name of Subhas Chandra who allegedly made the broadcast and the true copy of the report sent by the Radio Moscow authority in the matter.

✓ (c) The Secretaries, Ministry of Home Affairs, and Ministry of External Affairs, Government of India, have been requested on 14.03.2002 to report to the Commission the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P. (Lok Sabha) addressed to Shri V.V. Giri, the then President of India, which is lying at cor.pages 177 and 177(a) of Prime Minister Office's Secret File No.2(64)/56-68-PM and the outcome thereof since the said letter appears to contain some important matters relevant for the purpose of inquiry of the Commission.

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16.(a) The Secretary, Ministry of External Affairs, Government of India, has been requested on 14.03.2002 to report to the Commission immediately the outcome of the action referred to in para 2 of the d.o. letter dated January 30, 1970 of the Director (EA), Ministry of External Affairs, addressed to Sri Srinivasabardhan, Joint Secretary, Ministry of Home Affairs, Government of India, lying at cor.page 27 of the Prime Minister Office's Secret File No.2(64)/56-70/PM-Pol. Vol.V as also to send authenticated xerox copies of the relevant documents, if any, received from the U.K., the U.S.A., the U.S.S.R., and Japan by the Ministry of External Affairs as a result of the action taken by them.

Shri Jayant Prosad, Joint Secretary (AMS and CNV), Ministry of External Affairs, Government of India, in his d.o. letter No.25/4/NGO-Vol.VII dated April 19, 2002 has stated inter alia :

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".....the response received from our Mission in the U.S.A., U.S.S.R. and Japan were communicated to the Ministry of Home Affairs. Copies of the communication from our Mission are enclosed. It may be ~~seen~~ seen, however, that no documents were received from our Mission. As regards U.K., no response from our Mission is available in our records". The matter is being examined.

21(3)
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✓(b) The Secretaries, Ministry of Home Affairs, and Prime Minister's Office, Government of India, have been requested on 14.03.2002 to send to the Commission true copies of Vols. I and II of Prime Minister Office's File No.F-2(64)/56-66-PM and of Prime Minister's Office File No.2(67)/56-62-PM, referred to in U.O. Note dated 04.08.1972 of the Prime Minister's Secretariat sent to the Ministry of Home Affairs, Government of India, lying at cor.page 64 of Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol.V and in the Khosla Commission's

d.o. letter dated July 5, 1974 which is lying at cor.page 144 of Prime Minister Office's said Secret File.

The authenticated true copies of Prime Minister's Office's File No.2(64)/56-66-PM (Vol.I and II) have been received under Prime Minister Office's No. 915/11/5/2001-Pol. dated April 12, 2002 wherein it has been mentioned inter alia that the Prime Minister's Office is having no file bearing No. 2(67)/56-62-PM. The receipt of both the Volumes of the aforesaid file of the Prime Minister's Office has been acknowledged and they are being examined.

MHA
21(c)

✓ (c) The Secretary, Ministry of Home Affairs, has been requested on 14.03.2002 to report to the Commission immediately the action taken on the points made by Shri Samar Guha in his d.o. letter dated December 21, 1973 addressed to the Prime Minister (vide cor.pages 116 to 122) of Prime Minister Office's Secret File No. 2(64)/56-70-PM. Vol.V, other than those points of the said d.o. letter specifically dealt by Shri Tandon, Joint Secretary to the Prime Minister in his U.O. No. PMS-370 dated 05.01.1974 vide cor.page 164 of the said file.

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P.M.O

(d) The Secretary, Prime Minister's Office has been requested on 14.03.2002 to report immediately whether any reference was made by the Prime Minister's Office to the head of the Department, out of which the Prime Minister's Secretariat was created and/or to the head of the Department which became the custodian of the two documents mentioned at sub-paras (1) and (2) of the d.o. letter dated January 1, 1974 of the Private Secretary to the Prime Minister addressed to the Director, Nehru Memorial Museum and Library (vide cor.page 123 of Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol.V) consequent upon the creation of the Prime Minister's Secretariat, to locate the said two vital documents referred to at sub-paras (1) and (2) of the aforesaid d.o. letter dated January 1, 1974.

The Prime Minister's Office in their letter No. 915/11/C/5/2001-Pol. dated April 11, 2002 has reported inter alia :

"It may be further added that since P.M.'s Secretariat Office was not created out of any Department question of making reference to any such Department does not arise. Moreover, the said document being of pre-1947 period, do not constitute a part of this office record and therefore we have no knowledge as to under whose custody these two documents might have passed. Hence, this office is not in a position to provide any clue for locating these documents."

✓ (e) The Secretaries, Ministry of Home Affairs, and the Prime Minister's Office have been requested on 14.03.2002 to send to the Commission immediately an authenticated true copy of the answer of the Government to the Lok Sabha Starred Question D. No.3424 (vide cor.page 132 of the Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol.V) as also of the Government notes on the supplementaries regarding the said Lok Sabha Questions.

21(e)
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17. As early as on September 5, 2001 the Director General of National Archives, Government of India, was requested by Commission by its d.o. No.JMCI/DOC(FOR)/99-2000/56(Vol.II)/286 of that date to inform the Commission whether they have obtained the Micro-Films/Micro-Fiches of the files/documents which were earmarked by the team of the Commission after their study of the relevant files/documents in the British Library and the Public Records Office and also authenticated xerox copies of the entire File No. K 148/A of Mountbatten papers in the Hartley Library of the Southampton University, all of which they (National Archives) undertook to furnish to the Commission.

17. Archives

The Deputy Director of Archives of his d.o. letter No.9-2(5)/2001-PA dated April 5, 2002 has informed that the National Archives of India has recently received Micro-Film rolls of selected files from the British Library as well as Hartley Library, University of Southampton, U.K.; that reader printer copies of the same are being prepared for onward transmission to the Commission; and that Micro-Film rolls from Public Record Office, London, are still awaited. The said reader printer copies are yet to be received by the Commission from the National Archives of India.

P. K. Sengupta
3/6/02
(P. K. Sengupta)
Secretary

2077/15USD-IV/02
146

Chairman -- 252-2835
Secretary -- 252-2767
Officer on
Special Duty -- 252-2765
Office -- 252-2766/68

No. JMCII/ Stat.Rept./99-2000/33A/106. Kolkata, dated, 06.06.2002.

Officer on Special Duty

Pl. discuss on
top priority (14/6/02)
we have to keep a reply
ready for perusal of
JS (IS-1).
US IV. on file 13/6
14/6
Mrs. Meena

377

Justice Mukherjee Commission of Inquiry
For Inquiry into the Alleged Disappearance of
Netaji Subhas Chandra Bose
'B' Block, (3rd floor)
11/A, Mirza Ghalib Street, Kolkata-700 087.

STATUS REPORT

(From 01.05.2002 to 31.05.2002)

1. This Status Report is in continuation of the earlier Status Report forwarded under Commission's letter No. JMCI/Stat.Rept./99-2000/33A/66 dated 03.05.2002.
2. On receipt of the affidavit dated February 1, 2002 of Shri Falguni Rajkumar, Joint Secretary (TRG) and C.A.O., Ministry of Defence, Government of India, further affidavit was called for, preferably within four weeks, from the Ministry of Defence, Government of India, by Commission's letter No. JMCI/Record/N.Delhi/99-2000/37/57 dated May 3, 2001 stating therein categorically as to whether the complete records of the proceedings of the trial of the I.N.A. personnel, which are prima-facie records of historical importance, do exist or not and if not, the precise reasons for non-existence of those important records may be stated and if those records have been destroyed, the reasons for the date and place of destruction of the records, and whether copies or Micro-films/Micro-Fiches of those documents have been preserved and if not preserved, the reasons therefor may also be stated in their further affidavit which is yet to be submitted by the said Ministry before the Commission.

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✓ 3. It has been stated inter alia in the affidavit dated December 19, 2001 of Smt. Sangita Gairola, Joint Secretary (IS-I), Ministry of Home Affairs, Government of India :

④ "The averments and allegations made therein (i.e. in the affidavits and supplementary affidavits concerned) are matters of records and subject to the consideration by the Hon'ble Commission. Some of the records available with this Ministry have been made over to the Hon'ble Commission and some others have been discovered with this affidavit (i.e. her affidavit dated December 19, 2001) for consideration by the Hon'ble Commission; and that she has further stated therein that "the Ministry of Home Affairs has also taken up the matter with Ministry of External Affairs, Ministry of Defence, Intelligence Bureau, National Archives of India, and Prime Minister's Office, to go through the documents and if necessary submit an affidavit to the Commission directly."

Hence, the Secretaries of the Ministry of External Affairs, the Prime Minister's Office, and the Ministry of Defence as also the Director of Intelligence Bureau, and the Director General of National Archives of India were requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(Vol.II)/537 dated 29.01.2002 to send their respective affidavits immediately regarding the averments and allegations made in the relevant affidavits and supplementary affidavits of different deponents, the copies of which were furnished by the Commission with the Ministry of Home Affairs, Government of India. The Ministry of Home Affairs was also requested by the Commission's letter No.JMCI/Meeting-Proceedings (Follow Up)/48(Vol.II)/505 dated 11.01.2002 followed up by reminders dated 11.01.2002, dated 01.03.2002, and dated 02.05.2002 to send affidavits/supplementary affidavits as also to furnish the original or authenticated copies of the documents mentioned in the affidavits/supplementary affidavits of the deponents concerned. The affidavit and the enclosures thereto received from the Intelligence Bureau are being scrutinized while those are yet to be received from others.

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4. The Secretary, Ministry of Defence, Government of India, ~~was informed~~ by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/517 dated January 17, 2002 that Xerox copy of the File No. 273/INA received by the Commission from the National Archives of India reveals that the said file was prepared with extracts of different notes and documents relating to alleged death of Netaji Subhas Chandra Bose on 18th August, 1945 in plane crash at Taihoku and he was requested to inform the Commission about the sources of those notes and documents. The Ministry of Defence, Government of India, by their letter No. 2191/NIC/H/99 dated February 11, 2002 has stated inter alia that in 1946 all files/records related to Netaji Subhas Chandra Bose and I.N.A. were collected by the Combined Services of Detailed Interrogation Centre (CSDIC); that those records were subsequently transferred to the Historical Section (now History Division); and that the History Division, Ministry of Defence, has no information about the sources of the notes and documents available in File No. 273/INA.

✓ 5.(a) The Secretary, Ministry of Home Affairs, Government of India, ~~was~~ requested by Commission's confidential letter No. JMCI/Records/2000-01/37(II)/533 dated January 28, 2002 to let the Commission know what was the outcome of the action, if any, taken on U.O. No. 800/6/C/I/90-Pol. dated September 21, 1990 of the Prime Minister's Office addressed to Shri Naresh Chandra, the then Home Secretary, Government of India, wherewith a copy of the letter dated September 13, 1990 of Shri Amiya Nath Bose addressed to Shri V.P. Singh, the then Prime Minister of India and of the enclosure thereto which is a xerox copy of the news titled, "Fresh Clue on Netaji's Death" published in the "Times of India" (New Delhi) dated September 3, 1990 were sent to the Home Secretary, Government of India, for appropriate action. It was also stated in the said letter dated 28.01.2002 of the Commission that the said letter dated September 13, 1990 of Shri Amiya Nath Bose with its enclosure and the said note dated September 21, 1990 are available in File No. 800/6/C/I/90-Pol. of the Prime Minister's Office, on the subject, "Netaji Subhas Bose - Bringing in the ashes of". The reply of the Ministry of Home Affairs is still awaited.

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- (b) The Secretary, Ministry of External Affairs, Government of India, ~~was~~ requested by Commission's confidential letter No. JMCI/Records/2000-01/37(II)/532. dated January 28, 2002 to let the Commission know as quickly as possible what was the outcome of the action, if any, taken on U.O. No. 800/6/C/I/90-Pol. dated May 23, 1990 of the Prime Minister's Office endorsed to the Joint Secretary(EA), Ministry of External Affairs, Government of India, wherewith copies of the letter dated May 11, 1990 of Shri Amiya Nath Bose, the reply dated May 19, 1990 thereto given by Shri R. Sen, Joint Secretary of the Prime Minister's Office as also of the letter dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India, jointly authored by Shri Ashok Nath Bose, Shri Amiya Nath Bose and Shri Subrata Bose, all nephews of Netaji Subhas Chandra Bose, were sent to bring those to the attention of the Ministry of External Affairs, Government of India. It was stated in the said letter of the Commission that xerox copies of the afore-said letters and the note are available in the File No. 800/6/C/I/90-Pol. of the Prime Minister's Office. *The reply of the Ministry of External Affairs is still awaited.*
- (c) The Director, Press Information Bureau, Government of India, ~~was~~ requested by Commission's confidential letter No. JMCI/Records/2000-01/37(II)/531 dated January 28, 2001 to find out and furnish ~~this~~ Commission with an authenticated true copy of the Press statement, if any, of Mahatma Gandhi which is alleged in the letter dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India, authored jointly by Shri Ashok Nath Bose, Shri Amiya Nath Bose, and Shri Subrata Bose, all nephews of Netaji Subhas Chandra Bose, to have been made in 1945 by Mahatma Gandhi to the effect that Netaji did not die in any air-crash on August 18, 1945, after he spoke in detail to Col. Habibur Rahman regarding alleged death of Netaji in an air-crash on August 18, 1945.

In response thereto the Director, Public Relations to the Prime Minister requested the Commission, by his d.o. letter dated 03.04.2002, ^{to communicate with} the Director, Publication Division, Ministry of Information and Broadcasting, Government of India, and pursuant thereto, the latter has been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(II)/35 dated April 19, 2002 to find out whether there was any such Press statement of Mahatma Gandhi and if so, to furnish this Commission with an authenticated true copy of the said Press statement.

(d) A xerox copy of a letter dated May 4, 1990 of Sarbashree Ashok Nath Bose, Amiya Nath Bose, and Subrata Bose addressed to Shri V.P. Singh, the then Prime Minister of India, which appears at cor.pages 3 to 5 of file No. 800/6/C/I/90-Pol., of the Prime Minister's Office on the subject, "Netaji Subhas Bose - Bringing in the ashes of" was sent to the Secretary, Ministry of External Affairs, Government of India, with Commission's confidential letter No.JMCI/Records/2000-01/37(II)/529 dated January 28, 2002 with the request to kindly procure and furnish this Commission as quickly as possible with an authenticated true copy of the report of the American Intelligence Party, which allegedly went to Taihoku airport from Mc. Arthur's headquarters to make inquiries about the alleged air-crash at Taihoku on August 18, 1945.

Shri Jayant Prasad, Joint Secretary (AMS & CNV), Ministry of External Affairs, Government of India, along with his d.o. letter No.25/4/NGO-Vol.VII dated March 31, 2002 has enclosed a copy of the note of the Prime Minister's Office bearing No. PMO ID No.915/11/C/5/2001-Pol. dated March 7, 2002 endorsed to the Director (CNV), Ministry of External Affairs,

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which states inter alia that the authenticated true copy of the aforesaid report of the American Intelligence Party is not available with the Prime Minister's Office. Shri Jayant Prasad, ~~Secretary to the Government of India~~ in his affidavit dated 01.04.2002 filed before this Commission has stated inter alia : "No further documents relating to the point of inquiry of the Commission save and except the record of the interview of Shri K.P.S. Menon with Stalin..... is available in the possession and/or under the control of the Ministry of External Affairs."

6. During the visit of the Commission to London in July, 2001 some of the files of the Intelligence and Security Agencies of the Government of the U.K. relating to the relevant period were not allowed to be perused by the Commission on the ground that those were classified confidential files under the order of the Lord Chancellor. The matter was taken up by the Hon'ble Chairman at personal level with the Lord Archer who assured the Commission that he would take up the matter with the Lord Chancellor. The letter dated December 1, 2001 of the Lord Chancellor addressed to the Lord Archer shows inter alia that those confidential files would not be made available to the Commission and that those files contain no information which is not already made available to the Commission. Lord Archer ~~was then~~ requested by the Hon'ble Chairman in his d.o. No. JMCI/Chairman's Correspondence/2000-01/71/541 dated January 31, 2002 to kindly impress upon the Lord Chancellor to give the Commission ~~and~~ access to those retained papers which may, hopefully, furnish some materials regarding the alleged disappearance of Netaji Subhas Chandra Bose and thereby remove all sorts of speculations and doubts in this regard. ~~In reply~~ ^{has stated} Lord Peter Archer, in his d.o. letter dated May 3, 2002, inter alia : "I fear that my powers of persuasions have not secured their release If you and the Government of India consider it essential to take this forward, I can only suggest that there may be greater success if diplomatic representations were made between Governments."

7. By Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/543 dated February 1, 2002 Shri Jarnail Singh, Joint Secretary, Prime Minister's Office, Government of India, was informed that in view of the facts and circumstances appearing from cor. pages 26 and 27 of the Secret File No.2/64/78-PM of the Prime Minister's Office, it was difficult to accept his assertion made in the affidavit dated December 18, 2001 filed before the Commission that the Prime Minister's Office "is not in a position to provide any clarification/explanation regarding the circumstances under which Late Morarji Desai, the then Prime Minister of India, had made such statement on the floor of the Parliament", which reads as follows : "some further contemporary official documentary records have also become available. In the light of those doubts and contradictions and those records Government find it difficult to accept the earlier conclusions (of Shah Nawaz Khan Committee and Khosla Commission) are decisive." The reply given by Shri Jarnail Singh, Joint Secretary to the Prime Minister in his letter No.915/11/C/2/2000-Pol. dated March 22, 2002 states inter alia : "The materials in file No.2/64/78-PM (Secret), include letters from non-Government personalities with reference to old newspapers and notes thereon and we in our humble understanding did not find any contemporary 'official' documentary records therein". Since it appears to be inconceivable that the Prime Minister of a country would make such a statement relying solely on some correspondences from non-official personalities and newspapers reports, the Hon'ble Chairman has decided to express his views in the matter at the appropriate stage.

8. The Secretaries, Ministry of Home Affairs, and Ministry of Information and Broadcasting, Government of India, were furnished with a copy of the d.o. letter dated February 3, 1978 of Shri R.C. Mazumder (renowned historian) addressed to Shri Morarji Desai, the then

Prime Minister of India and of the notes of Shri Mazumder annexed thereto appearing at cor. pages 16 to 20 of the Secret File No. 2/64/78-PM of the Prime Minister's Office and were requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/542 dated February 1, 2002 to kindly furnish the Commission as quickly as possible with documents or authenticated xerox copies thereof relevant to the various contentions of the said letter of Shri Mazumder which appear to be relevant to the terms of reference of the Commission. The documents/authenticated copies called for from them are still awaited.

- ✓ 9. The Secretary, Ministry of Home Affairs, Government of India, was requested by the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/534 dated January 29, 2002 to make available for perusal of the authorised representative(s) of the Commission, Vol. Nos. XVIII, XIX, and XXII and other Volumes (excepting first 17 Volumes) along with other relevant files/documents/records pertaining to the Khosla Commission which have not yet been sent to this Commission. The response of the Ministry of Home Affairs in the matter is awaited.
- ⑦ 10. In reply to two d.o. letters both bearing No. 25/4/NGO-Vol. VII dated February 21, 2002 regarding proposed visit of the Commission to Japan to examine -(a) the witnesses in Japan, and (b) the witnesses in Taiwan respectively, received from the Director (CNV), Ministry of External Affairs, the Secretary, Ministry of External Affairs has been informed that the Commission does not possess any further details of the witnesses in Taiwan and therefore Ministry of External Affairs may explore all resources at their disposal

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to obtain the addresses and further details of the witnesses in Taiwan and in reply to the letter dated March 31, 2002 of the Ministry of External Affairs, the Commission by its letter dated April 30, 2002 furnished the particulars of the witnesses examined in Taiwan by the Khosla Commission as are available from the plain typed copies of their depositions recorded by the Khosla Commission. The Commission by its letter No.JMCI/Overseas/Witness/2000-01/70/629 dated March 26, 2002 requested the Ministry of External Affairs to intimate the name of the Japanese witness who is willing to depose before the Commission and the names of the witnesses in Japan who are not willing to formally depose, but may be available for interaction with the Commission as intimated in their d.o. dated March 1, 2002. No further response of the Ministry of External Affairs, Government of India, has been received as yet.

✓ 11.(a) The Secretary, Ministry of Home Affairs has been requested on 14.03.2002 to report to the Commission the action taken by the Government of India for verification of the news of imprisonment of Netaji in Russia as mentioned in cor.page 112 of Secret File No.2(64)/56-68-PM of the Prime Minister's Office, the details of verification actually made and outcome thereof. The report is still awaited.

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✓ (b) The Secretary, Ministry of Home Affairs, Government of India, has also been requested on 14.03.2002 to send an authenticated true copy of the news which claimed that Netaji Subhas Chandra Bose had spoken from Moscow radio after the Taskent Agreement as mentioned at cor.page 153 of the Secret File No.2(64)/56-68-PM of the Prime Minister's Office, the full text of the radio speech, the full particulars of the student in the name of Subhas Chandra who allegedly made the broadcast and the true

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copy of the report sent by the Radio Moscow authority in the matter. The particulars and the documents called for are still awaited.

- ✓ (c) The Secretaries, Ministry of Home Affairs, and Ministry of External Affairs, Government of India, have been requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/608(2) dated 14.03.2002 to report to the Commission the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P. (Lok Sabha) addressed to Shri V.V.Giri, the then President of India, which is lying at cor. pages 177 and 177(a) of Prime Minister Office's Secret File No. 2(64)/56-68-PM and the outcome thereof since the said letter appears to contain some important matters relevant for the purpose of inquiry of the Commission.

12. The Secretary, Ministry of External Affairs, Government of India, has been requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/607 dated 14.03.2002 to report to the Commission immediately the outcome of the action referred to in para 2 of the d.o. letter dated January 30, 1970 of the Director (EA), Ministry of External Affairs, addressed to Sri Srinivasabardhan, Joint Secretary, Ministry of Home Affairs, Government of India, lying at cor. page 27 of the Prime Minister Office's Secret File No. 2(64)/56-70/PM-Pol. Vol.V as also to send authenticated xerox copies of the relevant documents, if any, received from the U.K., the U.S.A., the U.S.S.R., and Japan by the Ministry of External Affairs as a result of the action taken by them. In reply to the Commission's aforesaid letters being No. 607 and 608(2) both dated 14.03.2002 Shri Jayant Prosad, Joint Secretary (AMS and CNV), Ministry of External Affairs, Government of India, in his d.o. letter No. 25/4/NGO-Vol.VII dated April 19, 2002 has stated inter alia :

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".....the response received from our Mission in the U.S.A., U.S.S.R. and Japan..... were communicated to the Ministry of Home Affairs, Copies of the communication from our Mission are enclosed. It may be seen, however, that no documents were received from our Mission. As regards U.K., no response from our Mission is available in our records".

Shri Jayant Prosad has been requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(II)/70 dated May 6, 2002 to kindly inform the Commission as to whether there has been any further inquiry as mentioned in the xerox copy of the telegram from the Indian Embassy in Washington which is one of the enclosures to his above quoted d.o. letter dated 19.04.2002, about the materials on Netaji's disappearance, and whether the Ministry of External Affairs pursued further ^{the} matter and if so, the Commission might be informed of the results of pursuing ^{the} matter\$ for further inquiries.

13. The authenticated true copies of File No.2(64)/56-66 Vol.(I & II)-PM as called for by the Commission on 14.03.2002 have been received from the Prime Minister's Office ^{along with their} No.915/11/5/2001-Pol. dated April 12, 2002. Those are being scrutinized. It has been stated in the said letter dated April 12, 2002 of the Prime Minister's Office that they are having no file bearing No. 2(67)/56-62-PM though the said file No. is mentioned in the U.O. Note dated 04.08.1972 of the Prime Minister's Secretariat as also in the Khosla Commission's d.o. letter dated July 5, 1974 which are lying at cor.page 64 and cor.page 144 respectively of the Prime Minister's Secret~~ary~~ File No.2(64)/56-70-PM, Vol.V.
- ✓ 14. The Secretary, Ministry of Home Affairs, has been requested on 14.03.2002 to report to the Commission immediately the action taken on the points made by Shri Samar Guha in his d.o. letter dated December 21, 1973 addressed to the Prime Minister (vide cor.pages 116 to 122) of Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol.V, other than
contd...P.12.

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those points of the said d.o. letter specifically dealt by Shri Tandon, Joint Secretary to the Prime Minister in his U.O. No. PMS-370 dated 05.01.1974 vide cor. page 164 of the said file.

15. The Secretary, Prime Minister's Office has been requested on 14.03.2002 to report immediately whether any reference was made by the Prime Minister's Office to the Head of the Department, out of which the Prime Minister's Secretariat was created and/or to the Head of the Department which became the custodian of the two documents mentioned at sub-para's (1) and (2) of the d.o. letter dated January 1, 1974 of the Private Secretary to the Prime Minister addressed to the Director, Nehru Memorial Museum and Library (vide cor. page 123 of Prime Minister Office's Secret File No. 2(64)/56-70-PM. Vol. V) consequent upon the creation of the Prime Minister's Secretariat, to locate the said two vital documents referred to at sub-para's (1) and (2) of the aforesaid d.o. letter dated January 1, 1974. The Prime Minister's Office in their letter No. 915/11/C/5/2001-Pol. dated April 11, 2002 has reported inter alia :

"It may be further added that since Prime Minister's Secretariat Office was not created out of any Department question of making reference to any such Department does not arise. Moreover, the said document being of pre-1947 period, do not constitute a part of this office record and therefore we have no knowledge as to under whose custody these two documents might have passed. Hence, this office is not in a position to provide any clue for locating these documents."

- ✓ 16. The Secretaries, Ministry of Home Affairs, and the Prime Minister's Office have been requested on 14.03.2002 to send to the Commission immediately an authenticated true copy of the answer of the Government
- (K)

to the Lok Sabha Starred Question D. No.3424 (vide cor.page 132 of the Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol.V. as also of the Government notes on the supplementaries regarding the said Lok Sabha Questions. The documents called for are still awaited.

17. As early as on September 5, 2001 the Director General of National Archives, Government of India, was requested by Commission by its d.o. No.JMCI/DOC(FOR)/99-2000/56(Vol.II)/286 of that date to inform the Commission whether they have obtained the Micro-Films/Micro-Fiches of the files/ documents which were earmarked by the team of the Commission after their study of the relevant files/ documents in the British Library and the Public Records Office and also authenticated xerox copies of the entire file No. K 148/A of Mountbatten papers in the Hartley Library of the Southampton University, all of which they (National Archives) undertook to furnish to the Commission. Some documents collected by the National Archives, Government of India, from the U.K. have been received by the Commission on June 3, 2002 which are being scrutinized. **Some documents reportedly collected by the National Archives of India from the U.K. are expected to be received by the Commission by the first week of June, 2002.**
18. We have received from the Ministry of External Affairs, Government of India, some papers which show that the name of Netaji Subhas Chandra Bose was not in the list of 'War Criminals'. Those papers are being scrutinized.
19. A xerox copy of the report captioned, "Sleeping Bomb lies in Netaji Vault" authored by Shri Chandan Nandy was sent to the Secretary, Ministry of Home Affairs, Government of India, with Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/108 dated 28.05.2001 in terms of the letter No.10/SPS-11/2001(20)-306 dated 17.05.2001 of the Cabinet Secretariat, Government of India, and the Secretary, Ministry of Home Affairs, was requested to furnish a detailed report on the contents of the said article of Shri Chandan Nandy which was

published in the "Telegraph", Calcutta on March 26, 2001. The Ministry of Home Affairs could not find out any materials in this regard after necessary inquiries ^{made by them} on perusal of the aforesaid news item.

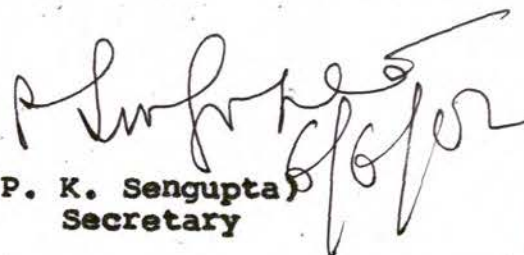
20. In Commission's letter No. JMCI/Meeting-Hearing/99-2000/-57(Vol.II)/349 dated October 8, 2001 certain anomalies noticed in the photo copy of File No.915/II/C/6/96-Pol. of the Prime Minister's Office were pointed out to the Secretary of the Prime Minister's Office with the request to furnish necessary explanation/clarification in respect of the said anomalies within eight weeks from the date of receipt of the letter. The said letter appears to have been received in the Prime Minister's Office on December 12, 2001.. The reply given recently by the Prime Minister's Office is under scrutiny.
21. On a petition filed on behalf of the Commission, the Hon'ble Allahabad High Court (Lucknow Bench) has passed an order on February 6, 2002 and permitted the Commission ~~to bring to its Head Office in Calcutta the sealed box~~ containing the documents and articles selected by the Commission. ~~out of the articles~~ and documents allegedly belonging to 'Gumnami Baba' and kept in the ^{said} Steel Boxes in the District Treasury of Faizabad. After crossing many hurdles, the aforesaid sealed box could be brought from the District Treasury at Faizabad to the Head Office of the Commission in Kolkata and the contents thereof are being scrutinized.
22. The Secretary, Prime Minister's Office, has been requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(Vol.II)/536 dated 29.01.2002 to kindly send to the Commission immediately, authenticated xerox copies of the rules and procedures prescribed for destruction of files/documents since it appears from the purported xerox copies of file No.23(156)/51-PM

of the Prime Minister's Office as also from their communication dated September 21, 2001 that a number of papers/files of the said office were destroyed. The documents called for are yet to be received.

23. By Commission's letter No.JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/228 dated August 1, 2001 sent by Registered Post with A/D. ~~ya~~ to the Ministry of Home Affairs, Government of India, it has been stated that it is not clear from their letter No.I/12014/10/2001-IS(D.III) dated July 4, 2001 whether or not the Ministry of Home Affairs, Government of India, is at all concerned in the matter of furnishing the documents mentioned are relied upon by the deponents referred to in Commission's letter No.JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/132 dated May 30, 2001 and they were requested to file a supporting affidavit in the matter by an Officer, not below the rank of Joint Secretary of the Department within four weeks from the date of receipt of this letter. A reminder was sent to the Ministry of Home Affairs, Government of India, by Commission's letter No.JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/329 dated September 20, 2001 wherein they were also requested to indicate the name of the authority concerned of the Government of India against each of the documents mentioned and relied upon by the said deponents since those particulars are essentially required by the Commission to pursue effectively with the authorities concerned of the Government of India, as advised by the Ministry of Home Affairs in the aforesaid letter dated July 4, 2001, for production before the Commission their respective documents concerned. The said report and the affidavit are yet to be received by the Commission from the Ministry of Home Affairs, Government of India.

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24. The documents received from different Archives in the Russian Federation by the Russian Foreign Office at the behest of the Indian Mission in Moscow and sent to the Commission by the Ministry of External Affairs, Government of India, along with their English translation of those documents are being scrutinized by the Commission on getting verification of the correctness of the said English translation^{by} Dr. (Mrs.) Purabi Roy.


(P. K. Sengupta)
Secretary

199/150-III/02
14/6

**Ministry of External Affairs
CNV Division**

Ministry of Home Affairs may please refer to their U.O. No. I/12014/13/2000-IS(D.III) dated 27.2.2002 regarding the Justice Mukherjee Commission of Inquiry.

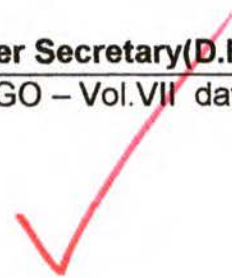
As desired, an authenticated copy of the document of the Ministry of Defence, Govt. of UK, is sent herewith.


(Vijay Gokhale)
Director(CNV)

Shri V.P.Bhatia, Under Secretary(D.IV), Ministry of Home Affairs

MEA U.O. No. 25/4/NGO – Vol.VII dated 11.6.2002

on file
14/6/02



WA
Do(III)
Mr Weena
14/6



From: J J Harding MBE, HB(A)

MINISTRY OF DEFENCE

3-5, Great Scotland Yard, London SW1A 2HW

Telephone (Direct dial) 0171 218 4011
(Switchboard) 0171 218 9000
(Fax) 0171 218 0256

Pavan Kapoor Esq.
First Secretary (Political)
The High Commission of India
India House
Aldwych
London
WC2B 4NA

Your Reference
No.578/FS(Pol)/98
Our Reference
HB(A)/5
Date
December 1998

Dear Mr Kapoor,

Thank you for your letter of 24th November, I apologise for the delay in replying which is due to having to consult older records not immediately to hand.

With reference to the specific question you posed namely whether Subhash Chandra Bose was included by the United Kingdom in its 'list of war criminals' drawn up after the Second World War, I have been unable to find any evidence that any such action was taken by the United Kingdom.

I should add that the question of how to treat Subhash Chandra Bose and other members of the Indian national army was considered in 1945 by the Government of India in consultation with HMG. The relevant official papers relating to this process are in the public domain. Some of the most pertinent are to be found in Volume VI of the 'Transfer of Power' series. Others are available at the Public Record Office or the India Office Library collections in the British Library.

I hope this is of help. If you have any further questions on this matter, please do not hesitate to contact me.

Yours
Army Historical Branch

Attested True Copy

Director (CNV),
विदेश मन्त्रालय, नई दिल्ली
Ministry of External Affairs
New Delhi

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By Speed Post

No. 12014/13/2000-IS (D.III)
Government of India
Ministry of Home Affairs

New Delhi, the 18th July 2002

To

*1. Summary
10/3/2
18/7*

Secretary
JMCI, "B" Block, 11/A Mirza Ghalib Street,
Calcutta- 700087

Subject:- Status Report for the months of March, April and
May 2002.

Sir,

In the above-cited subject matter the position has been
examined with reference to the issues involved and a Status Note is
enclosed for kind perusal of JMCI.

Yours faithfully,

18/7/02

etc

(B.R. Dhiman)

Under Secretary to the Govt. of India

*Please Issue
18/7/2002*

Enclosure : As above

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Status Report as on 19.3.2002, 1.4.2002 to 30.4.2002 and 1.5.2002 to 31.5.2002 showing action taken on the Status Report/orders/directions of the Commission as contained in its proceedings etc.

Paragraph in the Status Report	Action for MHA	Action Taken
3 of Status Report dated 19.3.2002 and 1.4.2002 to 30.4.2002	The Secretary, Ministry of Home Affairs, Government of India, was requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/305 dated September 18, 2001 to let the Commission know immediately what action was taken on the Rajya Sabha Starred Question No. DY. 2198 by Shri K.R. Malkani, M.P., due for answer on 06.03.1996 as mentioned at note sheet page 1 of Prime Minister's Office File No. 915/II/C/6/96-Pol. As also on the letter dated November 20, 1996 of Shri Ramkrishna Hegde addressed to the then President of India, indicating the results of the said actions. The Secretary, Ministry of Home Affairs, was also requested in the said letter of the Commission to send to the Commission within six weeks as authenticated Xerox copy of the information furnished by the Government of U.K. as stated in the letter dated 12.03.1999 of the Ministry of Home Affairs, appearing at cor. Page 196 of the said file of the Prime Minister's Office. Copies of the aforesaid note sheet page and cor.page were enclosed with the Commission's said letter dated September 18, 2001. The information and documents called for are still awaited.	(i) In the reply given to the Question, it was stated that in view of the fact that the circumstances of disappearance/death of Netaji Subhas Chandra Bose have already been looked into by two Commissions of Inquiry earlier, it has been felt by the Government that no useful purpose would be served by holding yet another inquiry. (ii) As far as letter dated November 20, 1996 of Shri Ramkrishna Hegde addressed to the then President of India is concerned, no such papers are available in the Ministry of Home Affairs. (iii) Copy of the said communication is enclosed.
5 of Status Report dated 19.3.2002 and Status Report from 1.4.2002 to 30.4.2002 & 19 of Status Report from 1.5.2002 to 31.5.2002	A Xerox copy of the report captioned, "Sleeping Bomb lies in Netaji Vault" authored by Shri Chandan Nandy was sent to the Secretary, Ministry of Home Affairs, Government of India, with Commission's letter No. JMCI/Records/ N.Delhi/99-2000/37/108 dated 28.05.2001 in terms of the letter No. 10/SPS-11/2001(20)-306 dated 17.05.2001 of the Cabinet Secretariat, Government of India, and the Secretary, Ministry of Home Affairs, was requested to furnish a detailed report on the contents of the said article of Shri Chandan Nandy which was published in the "Telegraph", Calcutta on March 26, 2001. The response of the Ministry of Home Affairs, Government of India, in the matter is still awaited.	Reply already sent on 13.7.2001 and copy enclosed for ready reference.
7(a) of Status Report dated 19.3.2002	At the time of her examination before the Commission as a witness on December 20, 2001, Smt. Sangita Gairola, Joint Secretary, MHA, stated inter alia that a small Committee headed by the Deputy Secretary of the Ministry of Home Affairs has been formed by the Ministry to find out further relevant records and stated that they would	Result of further efforts made by this Ministry have already been communicated to the Hon'ble

	require another two months to continue the inquiry to find out other relevant documents. Even though the said period of two months has expired, the result of the said inquiry by the Ministry of Home Affairs is still awaited.	Commission vide MHA's letter No. I/12014/13/2000-IS(D.III) dated 11.4.2002 (copy enclosed).
3 of Status Report dated 19.3.2002, 8 of Status Report from 1.4.2002 to 30.4.2002 and 3 of Status Report from 1.5.2002 to 31.5.2002.	It has been stated inter alia in the affidavit dated December 19, 2001 of Smt. Sangita Gairola, Joint Secretary (IS-I), Ministry of Home Affairs, Government of India : "The averments and allegations made therein (i.e. in the affidavits and supplementary affidavits concerned) are matters of records and subject to the consideration by the Hon'ble Commission. Some of the records available with the Ministry have been made over to the Hon'ble Commission and some others have been discovered with this affidavit (i.e. her affidavit dated December 19, 2001) for consideration by the Hon'ble Commission; and that she has further stated therein that "the Ministry of Home Affairs has also taken up the matter with Ministry of External Affairs, Ministry of Defence, Intelligence Bureau, National Archives of India, and Prime Minister's Office, to go through the documents and if necessary submit an affidavit to the Commission directly." Hence, the Secretaries of the Ministry of External Affairs, the Prime Minister's Office, and the Ministry of Defence as also the Director of Intelligence Bureau, and the Director General of National Archives of India have been requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(Vol.II)/537 dated 29.01.2002 to send their respective affidavits immediately regarding the averments and allegations made in the relevant affidavits and supplementary affidavits of different deponents, the copies of which were furnished by the Commission with the Ministry of Home Affairs, Government of India.	No action pending insofar as this Ministry is concerned.
4 11(a) of Status Report dated 19.3.2002, 9(a) of Status Report from 1.4.2002 to 30.4.2002 and 5(a) of Status Report from 1.5.2002 to 31.5.2002.	The Secretary, Ministry of Home Affairs, Government of India, has been requested by Commission's confidential letter No. JMCI/Records/2000-01/37(II)/533 dated January 28, 2002 to let the Commission know what was the outcome of the action, if any, taken on U.O. No. 800/6/C/I/90-Pol. Dated September 21, 1990 of the Prime Minister's Office addressed to Shri Naresh Chandra, the then Home Secretary, Government of India, wherewith a copy of the letter dated September 13, 1990 of Shri Amiya Nath Bose addressed to Shri V.P. Singh, the then Prime Minister of India and of the enclosure thereto which is a Xerox copy of the news titled , "Fresh Clue on Netaji's Death" published in the "Times of India" (New Delhi) dated September 3, 1990 were sent to the Home Secretary, Government of India, for appropriate action. It was also stated in the said letter dated 28.01.2002 of the Commission that the said letter dated September 13, 1990 of Shri Amiya Nath Bose with its enclosure and the said note dated September 21, 1990 are available in File No. 800/6/C/I/90-Pol. of the Prime Minister's Office, on the subject, "Netaji Subhas Bose - Bringing in the ashes of".	No specific action was called for on this receipt and the letter was taken on record.
5 14 of Status Report dated 19.3.2002, 12 of Status Report from 1.4.2002 to 30.4.2002 and 8 of	The Secretaries, Ministry of Home Affairs, and Ministry of Information & Broadcasting, Government of India, have been furnished with a copy of the d.o. letter dated February 3, 1978 of Shri R.C. Mazumder (renowned historian) addressed to Shri Morarji Desai, the then Prime Minister of India and of the notes of Shri Mazumder annexed thereto appearing at cor.pages 16 to 20 of the Secret File No. 2/64/78-PM of the Prime Minister's Office and were requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/5423 dated February 1, 2002 to kindly furnish the Commission as quickly as possible with documents or authenticated Xerox copies	Relevant records in this Ministry have been perused. However, no such record appears to be available in this Ministry. As such, Hon'ble Commission may consult PMO in the matter.

Status Report from 1.5.2002 to 31.5.2002.	thereof relevant to the various contentions of the said letter of Shri Mazumder which appear to be relevant to the terms of reference of the Commission. The documents/authenticated copies called for from them are awaited.	5.234/Cor
6 of Status Report dated 19.3.2002, 13 of Status Report from 1.4.2002 to 30.4.2002 and 9 of Status Report from 1.5.2002 to 31.5.2002.	The Secretary, Ministry of Home Affairs, Government of India, has been requested by the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/534 dated January 29, 2002 to make available for perusal of the authorized representative(s) of the Commission, Vol. Nos. XVIII, XIX, and XXII and other Volumes (excepting first 17 volumes) along with other relevant files/documents/records pertaining to the Khosla Commission which have not yet been sent to this Commission. The response of the Ministry of Home Affairs in the matter is awaited.	Detailed lists of records/documents/books etc. pertaining to Netaji Subhas Chandra Bose available with this Ministry were enclosed with the affidavit dated 19.12.2001 filed on behalf of Ministry of Home Affairs. The result of further efforts have also been communicated to the Hon'ble Commission vide our U.O. Note dated 11.4.2002. 6358/Cor
18 of Status Report dated 19.3.2002	As early as August 23, 2001, the Commission by its letter No. JMCI/Meeting-Proceedings (Follow Up)/48(Vol.II)/274 dated August 23, 2001 requested the Secretary, Ministry of Home Affairs, Government of India, to let the Commission know, within six weeks from the date of receipt thereof which of the files/records/documents mentioned in para (a)(i) and (a)(iii) of the proceedings dated March 23, 2000 of the Commission pertain to the Prime Minister's Office, which of them pertain to the Ministry of Defence and which of them pertain to the Ministry of External Affairs, Government of India, to enable the Commission to take further action in the matter. No reply has yet been received from the Ministry of Home Affairs, Government of India.	Attention of the Hon'ble Commission is invited to para 2 of the affidavit dated 19.12.2001 filed on behalf of Ministry of Home Affairs.
19 of Status Report dated 19.3.2002 and 23 of Status Report from 1.5.2002 to 31.5.2002	By Commission's letter No. JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/228 dated August 1, 2001 sent by Registered Post with A/D. to the Ministry of Home Affairs, Government of India, it has been stated that it is not clear from their letter No. I/12014/10/2001-IS(D.III) dated July 4, 2001 whether or not the Ministry of Home Affairs, Government of India, is at all concerned in the matter of furnishing the documents mentioned and relied upon by the deponents referred to in Commission's letter No. JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/132 dated May 30, 2001 and they were requested to file a supporting affidavit in the matter by an Officer, not below the rank of Joint Secretary of the Department within four weeks from the date of receipt of this letter. A reminder was sent to the Ministry of Home Affairs, Government of India by Commission's letter No. JMCI/Affidavit-Averments (Follow Up)/ 2000-2001/67/320 dated September 20, 2001 wherein they were also requested to indicate the name of the authority concerned of the Government of India against each of the documents mentioned and relied upon by the said deponents since those particulars are essentially required by the Commission to pursue effectively with the authorities concerned of the Government of India as advised by the Ministry of Home Affairs in the aforesaid letter dated July 4, 2001 for production before the Commission their respective documents concerned. The said report and the affidavit are yet to be received by the Commission from the Ministry of Home Affairs, Government of India.	The relevant position in this regard has already been communicated to the Hon'ble Commission vide para 7 of the affidavit dated 19.12.2001 filed on behalf of Ministry of Home Affairs.

20(a) of Status Report dated 19.3.2002 and 15(a) from 1.4.2002 to 30.4.2002 9	The Secretary, Ministry of Home Affairs, has been requested to report to the Commission the action taken by the Government of India for verification of the news of imprisonment of Netaji in Russia as mentioned in Cor.page 112 of Secret File No. 2(64)/56-68-PM of the Prime Minister's Office, the details of verification actually made and outcome thereof.	No record, as such, has become available in the Ministry of Home Affairs. It is suggested that information in this regard may be obtained from Ministry of External Affairs/PMO.
20(b) of Status Report dated 19.3.2002, 15(b) from 1.4.2002 to 30.4.2002 and 11(b) of Status Report from 1.5.2002 to 31.5.2002 10	The Secretary, Ministry of Home Affairs, Government of India, has also been requested to send an authenticated true copy of the news which claimed that Netaji Subhas Chandra Bose had spoken from Moscow radio after the Taskent Agreement as mentioned at cor.page 153 of the Secret File No. 2(64)/56-68-PM of the Prime Minister's Office, the full text of the radio speech, the full particulars of the student in the name of Subhas Chandra who allegedly made the broadcast and the true copy of the report sent by the Radio Moscow authority in the matter.	No such information is available in the Ministry of Home Affairs. Hon'ble Commission is requested to obtain this information from the Ministry of External Affairs.
20(c) of Status Report dated 19.3.2002, 15(c) of Status Report from 1.4.2002 to 30.4.2002 and 11(c) of Status Report from 1.5.2002 to 31.5.2002 11	The Secretaries, Ministry of Home Affairs and Ministry of External Affairs, Government of India, has been requested to report to the Commission the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P. (Lok Sabha) addressed to Shri V.V. Giri, the then President of India which is lying at cor.pages 177 and 177(a) of Prime Minister's Office Secret File No. 2(64)/56-68-PM and the outcome thereof since the said letter appears to contain some important matters relevant for the purpose of inquiry of the Commission.	No such papers have become available in the Ministry of Home Affairs. Hon'ble Commission may get in touch with the Ministry of External Affairs/PMO to obtain information in this regard.
21(b) of Status Report dated 19.3.2002 and 16(b) from 1.4.2002 to 30.4.2002 12	The Secretaries, Ministry of Home Affairs, and Prime Minister's Office, Government of India, have been requested to send to the Commission true copies of Vols. I and II of Prime Minister's Office File No. F-2(64)/56-66-PM and of Prime Minister's Office File No. 2(67)/56-62-PM, referred to in U.O. Note dated 04.08.1972 of the Prime Minister's Secretariat sent to the Ministry of Home Affairs, Government of India, lying at cor.page 64 of Prime Minister's Office's Secret File No. 2(64)/56-70-PM. Vol.V and in the Khosla Commission's d.o. letter dated July 5, 1974 which is lying at cor.page 144 of Prime Minister Office's said Secret File.	No such files have been located in the Home Ministry. PMO may please be consulted in the matter.
21(c) of Status Report dated 19.3.2002, 16(c) of Status Report from 1.4.2002 to 30.4.2002 13	The Secretary, Ministry of Home Affairs, has been requested to report to the Commission immediately the action taken on the points made by Shri Samar Guha in his d.o. letter dated December 21, 1973 addressed to the Prime Minister (vide cor.pages 116 to 122) of Prime Minister's Office Secret File No. 2(64)/56-70-PM. Vol. V, other than those points of the said d.o. letter specifically dealt by Shri Tandon, Joint Secretary to the Prime Minister in	No such communication dated December 21, 1973 has become available in this Ministry. It is requested that the Hon'ble Commission

1.4.2002 to 30.4.2002 and 14 of Status Report from 1.5.2002 to 31.5.2002	his U.O. No. PMS-370 dated 05.01.1974 vide cor.page 164 of the said file.		may get in touch with PMO in this regard.
21(e) of Status Report dated 19.3.2002, 16(e) of Status Report from 1.4.2002 to 30.4.2002 and 16 of Status Report from 1.5.2002 to 31.5.2002	The Secretaries, Ministry of Home Affairs, and the Prime Minister's Office are being requested to send to the Commission immediately an authenticated true copy of the answer of the Government to the Lok Sabha Starred Question D.No. 3424 (vide cor.page 132) of the Prime Minister Office's Secret File No. 2(64)/56-70-PM. Vol.V as also of the Government notes on the supplementaries regarding the said Lok Sabha Questions.		We have not been able to locate the papers relating to Lok Sabha Starred Question Dy.No. 3424 referred to in the PMO file. It is requested that the Hon'ble Commission may get in touch with PMO.

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Most Immediate

BY FAX
(FAX No.0091-033-252 2765)

Government of India
Ministry of Home Affairs
IS-I Division

Subject: **In the matter of compliance with the order of the Hon'ble Commission as passed in its proceedings dated 20.12.2001 held at New Delhi.**

Please refer to the proceedings of the Hon'ble Commission held at New Delhi on 20th December 2001 and the deposition by Joint Secretary (IS-I), Ministry of Home Affairs before the Commission. In the above deposition, it was stated that further efforts have to be made to search for any possible records relating to Netaji Subhas Chandra Bose and Khosla Commission of Inquiry. Hon'ble Commission granted 2 months time and desired to be informed of the results.

2. Accordingly, further vigorous efforts were made to locate records, if any, in this Ministry.
3. In this regard, the undersigned is directed to state that despite these efforts, no further records have become available.
4. It is requested that the above position may please be placed before the Hon'ble Chairman for his perusal.


(MUKESH MITTAL)
Director (IS-I)

Shri P.K. Sengupta, Secretary, Justice Mukherjee Commission of Inquiry, 'B' Block,
11/A Mirza Ghalib Street, Kolkata-700 087.
MHA UO No.I/12014/13/2000-IS (D.III)

Dated, the 11th April, 2002.

NR/Please issue
12.4.02

12.4.02
12/4/02



From: J. J. Harding MBE, HB(A)

MINISTRY OF DEFENCE

3-5, Great Scotland Yard, London SW1A 2HW

Telephone (Direct dial) 0171 218 4011
(Switchboard) 0171 218 9000
(Fax) 0171 218 0256

Pavan Kapoor Esq.
First Secretary (Political)
The High Commission of India
India House
Aldwych
London
WC2B 4NA

Your Reference
No. 578/FS(Pol.)/'98
Our Reference
HB(A)/5
Date
December 1998

Dear Mr Kapoor,

Thank you for your letter of 24th November, I apologise for the delay in replying which is due to having to consult older records not immediately to hand.

With reference to the specific question you posed namely whether Subhash Chandra Bose was included by the United Kingdom in its 'list of war criminals' drawn up after the Second World War, I have been unable to find any evidence that any such action was taken by the United Kingdom.

I should add that the question of how to treat Subhash Chandra Bose and other members of the Indian national army was considered in 1945 by the Government of India in consultation with HMG. The relevant official papers relating to this process are in the public domain. Some of the most pertinent are to be found in Volume VI of the 'Transfer of Power' series. Others are available at the Public Record Office or the India Office Library collections in the British Library.

I hope this is of help. If you have any further questions on this matter, please do not hesitate to contact me.

Yours Sincerely
[Signature]
Army Historical Branch

Attested True Copy

[Signature]
Director (CNV),
विदेश मन्त्रालय, नई दिल्ली
Ministry of External Affairs
New Delhi.

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199/ISD-III/100
14/6

**Ministry of External Affairs
CNV Division**

Ministry of Home Affairs may please refer to their U.O. No. I/12014/13/2000-IS(D.III) dated 27.2.2002 regarding the Justice Mukherjee Commission of Inquiry.

As desired, an authenticated copy of the document of the Ministry of Defence, Govt. of UK, is sent herewith.

Vijay Gokhale
(Vijay Gokhale)
Director(CNV)

Shri V.P.Bhatia, Under Secretary(D.IV), Ministry of Home Affairs

MEA U.O. No. 25/4/NGO - Vol.VII dated 11.6.2002

on file
14/6/02 ✓
WR
DO(III)
Mr. Weend
14/6/02

JUSTICE MUKHERJEE COMMISSION OF INQUIRY

FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF

NETAJI SUBHAS CHANDRA BOSE.

'B' Block, (Third Floor)

11/A Mirza Ghalib Street, Kolkata-700087

Phone:

Chairman - 2252-2835
Secretary - 2252-2767
Officer on
Special Duty - 2252-2765
Office - 2252-2766/88

Fax: 033-2252-2765

e-mail:

No. JMCI/STAT.REPT./99-2000/33A (II)/68(4)

June 3, 2004

From: Shri M. Roy, IAS (Retd.)
Officer on Special Duty

- To:
1. The Secretary,
Ministry of Home Affairs,
Government of India, North Block, New Delhi-110001.
 2. The Secretary,
Ministry of External Affairs,
Government of India, South Block, New Delhi-110001.
 3. The Secretary,
Cabinet Secretariat, Government of India,
Rashtrapati Bhavan, New Delhi-110004.
 4. The Director,
Intelligence Bureau, Government of India,
Ministry of Home Affairs, North Block, New Delhi-110001.



Subject: Status Report from 01.05.2004 to 31.05.2004.

Ref: Your Office letter No. I/12014/I/2000-IS(D.III) dated 07.02.2000.

Sir,

I am directed to forward herewith a 'Status Report' of the Secretary of Justice Mukherjee Commission of Inquiry, for favour of taking necessary action at your end (in respect of such of the matters in the Status Report as may be applicable to your Ministry / Department / Office).

Yours faithfully,

(M. Roy)

Officer on Special Duty

Encl: As stated above

Sw B.W.
14/6

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Justice Mukherjee Commission of Inquiry
For Inquiry Into the Alleged Disappearance of
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata-700087

STATUS REPORT
(From 01.05.2004 to 31.05.2004)

1. This Status Report is in continuation of the Status Report for the period from 01.04.2004 to 30.04.2004 forwarded earlier by the Commission to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs, Cabinet Secretariat, as also to the Director, Intelligence Bureau, Government of India, for favour of taking necessary action at their ends (in respect of such of the matters in the Status Report as may be applicable to them).
Pr. J.
2. The next hearing of the Commission is scheduled to be held on 23.06.2004 at 11.00 a.m. at the Seminar Hall in the Annexe Building, Mahajati Sadan, 166, Chittaranjan Avenue, Kolkata-700007 and four witnesses have been summoned for their examination/further examination during the said hearing.
Pr. J.
3. Response from the Ministry of External Affairs in respect of a copy of the official paper bearing No. 5190, which is an extract from a note of discussion between Lord Wavell, the Secretary of State, and R. Arthur Henderson held on 27th August (year not mentioned), as collected from the U.K. in course of the visit of the Commission to London, sent to the Joint Secretary (CNV), Ministry of External Affairs, Government of India, (vide the Commission's letter No. JMCI/DOC(FOR)/99-2000/56(V)/375 dated December 26, 2003) is still awaited.
MBA
4. By Commission's letter No. JMCI/DOC(FOR)/99-2000/56(V)/331 dated November 12, 2003, the Joint Secretary (CNV), Ministry of External Affairs, Government of India, has been requested to report to the Commission immediately, the present position of those matters mentioned in the d.o. letter No. 25/4/NGO-Vol IX dated 27.06.2003 of the Ministry which appear to be still pending as also to send an
MBA

exhaustive list of all the archives of the Russian Federation excluding the names of the Archives of the countries in the Russian Federation already furnished. Further reports as called for are still awaited.

- MBA
5. Further to the position stated in para 5 of the Status Report from 01.04.2004 to 30.04.2004 it is pointed out that the Joint Secretary (CNV), Ministry of External Affairs, Government of India, has been requested to take necessary action for arranging the proposed meeting of the Hon'ble Chairman with the Hon'ble Minister of External Affairs, Government of India, preferably by the middle of June, 2004. In this connection, the Joint Secretary has been requested to refer to the Commission's letter No.JMCI/EO/2002-2003/83(III)/517 dated March 23, 2004 and has been furnished with a copy of the Commission's d.o.letter No.JMCI/EO/2002-2003/83(III)/46 dated March 26, 2004 addressed to Prof. N. Saitou, Department of Genetics, National Institute of Genetics, University of Tokyo, Japan, which gives the latest development in the matter of selection of a competent D.N.A. Scientist for D.N.A. tests of the alleged ashes of Netaji Subhas Chandra Bose kept in the Renkoji temple, Japan. The particulars of the said Japanese Scientist has been received from Dr. Lalji Singh, Director, Center for Cellular and Molecular Biology, Hyderabad and Dr. V.K. Kashyap, Director, Central Forensic Science Laboratory, Kolkata.

Sent through S.W. Singh

6. With reference to the Commission's letter No.JMCI/EO/2002-2003/83(III)/364 dated 18.12.2003 (Secret) and Top Secret letter No.I/12014/27/93-IS/D.III dated 29.12.2003 of the Ministry of Home Affairs, Government of India, the Director (S), Ministry of Home Affairs, Government of India has been requested by Commission's letter No.JMCI/EO/2002-2003/83(III)/54 dated May 28, 2004 to send back their File No. I/12014/27/93-IS (D.III)-two files to the Commission by a duly authorised Special Messenger, as early as possible.

under process

7. Further to the position stated in para 7 of the Status Report from 01.04.2004 to 30.04.2004 it is stated that the Director (S), Ministry of Home Affairs, Government of India, in reply to his letter No.I/12014/2000-NCB dated May 14, 2004 has been

intimated that the Commission wants to make a single composite programme for visit to Taiwan, Vietnam, Thailand, Malaysia and Singapore and that until and unless clarification sought for in the penultimate para of the Commission's letter No.JMCI/Overseas-Witnesses/2000-01/70(III)/08 dated April 6, 2004 as also the reply to Commission's d.o. letter No.JMCI/Taiwan/2003-04/89/28 dated May 5, 2004 addressed to the Joint Secretary (IS), Ministry of Home Affairs, Government of India, are received by the Commission, it is not possible to give a reply to the aforesaid letter dated May 14, 2004 of the Ministry of Home Affairs, Government of India, particularly the second para of the said letter and the Director (S) has accordingly been requested to kindly expedite the matter and send the requisite reply to the aforesaid two letters of the Commission to enable it to prepare a composite proposal for its visit to the aforesaid countries and forward the same to the Ministry of Home Affairs, Government of India.

8. In Commission's d.o. letter No.JMCI/DOC(FOR)/99-2000/56(V)/518 dated March 25, 2004 addressed to Shri Rakesh, Joint Secretary (IS), Ministry of Home Affairs, Government of India, he has been requested to kindly make available to the Commission as early as possible a copy of the diary of Lord Mountbatten, if necessary by collecting the same through the Indian High Commission in London, as the said diary is urgently required to be perused by the Commission in view of the facts and circumstances stated in the said d.o. letter.

9. Present whereabouts of all the relevant witnesses examined earlier outside India as also of those mentioned anew reportedly living abroad, are yet to be collected and the reports regarding availability/non-availability of the relevant documents are yet to be obtained/collected from most of the foreign countries concerned by the Ministry of External Affairs, Government of India, to make them available to the Commission on receipt of which the Commission might be required to draw up programmes for its visit to the relevant foreign countries for examination of witnesses and documents available there as also for inspection of important relevant sites in those countries

*MB has been
replied to
on 14.5.04*

MB

10. The report of the Indian Consulate of St. Petersburg [as intended to be sent later to the Commission in para 4 of the d.o. letter No.24/4/NGO-Vol.IX(II) dated June 11, 2003 of the Joint Secretary (CNV), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission] is yet to be received by the Commission in spite of several reminders to the said Ministry.
11. By Commission's letter No.JMCI/Overseas/Witnesses/2002-03/70(II)/288 dated 16.10.03 addressed to Shri Vijoy Gokhale, Joint Secretary (CNV), Ministry of External Affairs, Government of India, his attention has been drawn to the copy of the enclosure captioned, "Directive to the Supreme Commander for the Allied Powers" bearing dated August 14, 1945 forwarded with his d.o. letter No.25/4/NGO-Vol.IX dated May 7, 2003 and he has been requested to kindly obtain through the Indian Mission in the USA authenticated copies of the (1) Proclamation, and (2) Instrument of Surrender which appear to have been enclosed to the original copy of the aforesaid directive bearing dated 14.08.1945. The documents called for are yet to be received.
12. Report of DNA profiling test of the teeth found in the alleged belongings of 'Gumnami Baba' of Faizabad (vide Commission's letter No. JMCI/EO/2002-2003/83(III)/371 dated December 22, 2003) from the Central Forensic Science Laboratory, Kolkata, is still awaited in spite of reminders with the request to expedite the move.
13. Further to the position stated in para 13 of the Status Report from 01.04.2004 to 30.04.2004 it is pointed out that the sealed report of the third handwriting expert has been received on May 28, 2004.
14. By Commission's letter No.JMCI/Overseas/Witnesses/2000-01/70(II)/446 dated February 18, 2004 addressed to the Director (IS), Ministry of Home Affairs, Government of India, the receipt of the two responses to the notice published in

Bangkok and Saigon (Vietnam) through the Ministry of External Affairs, Government of India, were acknowledged and the Ministry of Home Affairs was requested to let the Commission know about other responses to the said notice, if any, received subsequently. A copy of the said letter dated February 18, 2004 was endorsed to the Director (CNV), Ministry of External Affairs, Government of India, for information and necessary action. With d.o. letter No.25/4/NGO-Vol.X dated February 24, 2004 of the Director (CNV), Ministry of External Affairs, Government of India, the communications (in two pages) received by the Indian Mission in Singapore by FAX from a local resident in response to the Commission's notice have been sent to the Commission for further appropriate action. Those papers have been perused and kept on record. No further response has been received.

15. In d.o. letter No.25/4/NGO-Vol.XI dated February 16, 2004 of the Director (CNV), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission it has been stated, inter alia, that reminders have been sent to all the Russian witnesses, as requested by the Commission; that Dr. Rybakov has been asked to convey his willingness and convenience for appearing as a witness before the Commission; that no material on the fate of Netaji Subhas Chandra Bose was found in the Central Archives of the Russian FSB (i.e. erstwhile KGB); that the Indian Embassy in Moscow is ascertaining the whereabouts of Mr. Pechenko and is continuing its efforts to locate Mr. V.N. Plastun, Mr. A.A. Kolesnikov and Mr. E.M. Morosov, while a reminder is being sent to Mr. Komorov; that Academician Bondarovsky, one of the listed witnesses, expired last year, and that the Ministry of External Affairs, Government of India would apprise the Commission "of further progress in the matter on receipt of inputs" from the said Indian Mission. Further progress in the matter is yet to be intimated to the Commission.

16. By Commission's letter No.JMCI/Overseas/2002-03/70(II)/432 dated February 5, 2004 Mr. Joseph C. Pereira, who reportedly furnished some information to the Indian Consulate in Ho-Chi-Minh City in response to the publication of the notice of the Commission, was requested (on the basis of the aforesaid information) to kindly

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send to the Commission a copy of the book, titled, "Kojaka Rebels" published by a Singaporean Publisher as also to furnish the Commission with the address of the son and the daughter of Mr. Gerald De Cruz, so that the Commission may officially approach them to elicit relevant information from them. The response from Mr. Pereira is still awaited.

17. Commission's Notice to the public has been published on March 19, 2004 in The China Post, a leading English daily of Taiwan, to explore the possibility of getting available evidence in Taiwan. In response to the notice, a letter by e-mail has been received from one NRI Indian based in Taiwan. Further response is awaited.

18. Further to the position stated in para 18 of the Status Report from 01.03.2004 to 31.03.2004 it is pointed out that the copies of some documents referred to in the said para appear to have been sent to the Commission by the Ministry of Home Affairs, Govt. of India, with their letter No. 12014/13/2000-NCB.II/IS(D.III)(Vol.V) dated 06.04.2004 received by the Commission on 16.04.2004 which are being examined.

19. Copies of the Commission's Status Report as on 13.04.2004 and its proceedings dated April 16, 2004 have been sent to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs, Cabinet Secretariat as also to the Director, Intelligence Bureau, Government of India, for favour of taking necessary action at their ends in respect of such of the matters as may be applicable to their Ministry/Department/Office.

20. The term of the Commission has been extended for a further period of six months with effect from 15.05.2004. The retention order of the sanctioned posts of the Commission have accordingly been sought for a further period of six months with effect from 15.05.2004. The said retention order is awaited.


(P. K. Sengupta)
Secretary

JUSTICE MUKHERJEE COMMISSION OF INQUIRY

FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF

NETAJI SUBHAS CHANDRA BOSE.

'B' Block, (Third Floor)

11/A Mirza Ghalib Street, Kolkata-700087

Phone:

Chairman - 2252-2835
Secretary - 2252-2767
Officer on
Special Duty - 2252-2765
Office - 2252-2766/68

Fax : 033-2252-2765

e-mail : jmc@nic.nic.in

No. JMCI/STAT.REPT./99-2000/33A (II)/123(4)

August 4, 2004

From : Shri M. Roy, IAS (Retd.)
Officer on Special Duty

005259

- To :
1. The Secretary,
Ministry of Home Affairs,
Government of India, North Block, New Delhi-110001.
 2. The Secretary,
Ministry of External Affairs,
Government of India, South Block, New Delhi-110001.
 3. The Secretary,
Cabinet Secretariat, Government of India,
Rashtrapati Bhavan, New Delhi-110004.
 4. The Director,
Intelligence Bureau, Government of India,
Ministry of Home Affairs, North Block, New Delhi-110001.

Subject : Status Report from 01.07. 2004 to 31.07.2004.

Ref : Your Office letter No.I/12014/I/2000-IS(D.III) dated 07.02.2000.

Sir,

I am directed to forward herewith a 'Status Report' of the Secretary of Justice Mukherjee Commission of Inquiry, for favour of taking necessary action at your end (in respect of such of the matters in the Status Report as may be applicable to your Ministry / Department / Office).

Yours faithfully,



(M. Roy)

Officer on Special Duty

Encl : As stated above

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Justice Mukherjee Commission of Inquiry
For Inquiry Into the Alleged Disappearance of
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata-700087

STATUS REPORT
(From 01.07.2004 to 31.07.2004)

1. This Status Report is in continuation of the Status Report for the period from 01.06.2004 to 30.06.2004 forwarded earlier by the Commission to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs, Cabinet Secretariat, as also to the Director, Intelligence Bureau, Government of India, for favour of taking necessary action at their ends (in respect of such of the matters in the Status Report as may be applicable to them).
2. Xerox copies of the proceedings dated 23.06.2004 and of the Status Report dated 21.06.2004 have been sent to the authorities mentioned in para 1 above for favour of taking necessary action at their ends (in respect of such of the matters therein as may be applicable to them)
3. Response from the Ministry of External Affairs in respect of a copy of the official paper bearing No. 5190, which is an extract from a note of discussion between Lord Wavell, the Secretary of State, and R. Arthur Henderson held on 27th August (year not mentioned), as collected from the U.K. in course of the visit of the Commission to London, sent to the Joint Secretary (CNV), Ministry of External Affairs, Government of India, (vide the Commission's letter No. JMCI/DOC(FOR)/99-2000/56(V)/375 dated December 26, 2003) is still awaited.
MBA
4. Further development in the matters of para 4 (c) (ii) and (iv) of the Status Report for June, 2004 are still awaited.
MBA
5. In Commission's d.o. letter No. JMCI/DOC(FOR)/99-2000/56(V)/518 dated March 25, 2004 addressed to Shri Rakesh, Joint Secretary (IS), Ministry of Home Affairs, Government of India, he has been requested to kindly make available to the Commission as early as possible a copy of the diary of Lord Mountbatten, if necessary by collecting the same through the Indian High Commission in London, as the said diary is urgently required to be perused by the Commission in view of the facts and circumstances stated in the said d.o. letter. The diary called for is yet to be received.
Commission has been informed.
6. The report of the Indian Consulate of St. Petersburg [as intended to be sent later to the Commission in para 4 of the d.o. letter No. 24/4/NGO-Vol. IX(II) dated June 11, 2003 of the
MBA

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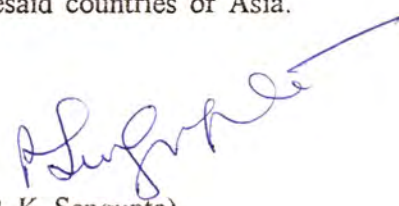
Joint Secretary (CNV), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission] is yet to be received by the Commission in spite of several reminders to the said Ministry.

7. There has been no further development in the matters stated in paras 14, 16, & 17 of the Status Report for May, 2004.
8. Present whereabouts of all the relevant witnesses examined earlier outside India as also of those mentioned anew reportedly living abroad, are yet to be collected and the reports regarding availability/non-availability of the relevant documents are yet to be obtained/collected from most of the foreign countries concerned by the Ministry of External Affairs, Government of India, to make them available to the Commission on receipt of which the Commission might be required to draw up programmes for its visit to the relevant foreign countries for examination of witnesses and documents available there as also for inspection of important relevant sites in those countries
9. The Director, Intelligence Bureau, Government of India, has been requested by the Commission in its letter No. JMCI/Meeting-Proceedings (Follow Up)/99-2000/48(V)/108 dated July 14, 2004 to fix a schedule for examination of the remaining 59 files of the Intelligence Bureau referred to in the former's d.o. letter No.IV/8(66)/2001-2184 dated 12.12.01 at his earliest convenience and send an intimation to the Commission so that an Officer of the Commission may again be deputed to the office of the Director (Intelligence Bureau) in New Delhi, for the purpose of examination of the said files. The response of the Director is awaited.
10. The Director (S), Ministry of Home Affairs, Government of India, has again been requested to take effective steps so that the File No.10/22/CM-68 is sent to the Commission without any further delay. He has also been requested that if the contents of the said file are still classified as Secret, the competent authority should be moved so that the file may be made available to the Commission at least for the perusal of the Hon'ble Chairman as was done earlier in the case of more than one file in respect of which privilege has been claimed by the Ministry of Home Affairs, Government of India. The response of the Ministry is awaited.
11. Efforts are being made to hold the next hearing of the Commission in New Delhi sometime in the first fortnight of September when two handwriting experts and some other witnesses are likely to be examined.
12. Further to the position stated in para 13 of the Status Report for June, 2004 it is pointed out that the Director (CNV), Ministry of External Affairs, Government of India, in his d.o. letter

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No.25/4/NGO-Vol.XII dated 15.07.2004 has intimated that the Institute of Oriental Studies, Moscow, has suggested that Justice Mukherjee might like to consider visiting Moscow after September 20, 2004 or in October, 2004 instead of July-August, 2004 proposed earlier by the Commission so that the Hon'ble Chairman could hold his meeting with the Russian scholars as suggested earlier by the said Institute. Accordingly, provisional programme of the Commission for visit to Russia w.e.f. September 21, 2004 has been sent by FAX to the Director (CNV), Ministry of External Affairs, by Commission's d.o. letter No. JMC/EO/2002-2003/83(III)/112 dated 21.07.04 with a copy endorsed to the Joint Secretary (IS), Ministry of Home Affairs, Government of India. Their response in the matter is awaited.

- MR A.
13. The d.o. letter No.25/4/NGO-Vol.XII dated 28.07.2004 received from the Director (CNV), Ministry of External Affairs, Government of India, in reply to the Commission's query regarding Hotel Tariff in Taipei is being examined. The Air India was requested by the Commission in its letter dated July 19, 2004, sent by FAX, to let the Commission know the air fares by First Class, Executive Class, and Business Class, for visit to Taipei from India either via Singapore or via Bangkok, i.e. air fares for journey from Kolkata to Singapore, Singapore to Taipei, Taipei to Bangkok, and also from Kolkata to Bangkok, Bangkok to Taipei, and Taipei to Singapore, to enable the Commission to prepare estimates of the expenses of the visit of the Commission to Taipei and other aforesaid countries of Asia. The reply of the Air India is still awaited.


(P. K. Sengupta)
Secretary

SB-5

REGISTERED WITH A/D.

भारत सरकार सेवार्थ

ON INDIA GOVERNMENT SERVICE

No. JMCI/Stat.Rept./99-2000/33A(II)/123(4) Dated 04.08.2004

By

RL-5068
4/8/04

To

The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

Justice Mukherjee Commission of
Inquiry for Inquiry into the
alleged disappearance of
Netaji Subhas Chandra Bose
11A, Mirza Ghalib Street, 3rd Floor
Block 'B', Calcutta- 700017



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1000
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JUSTICE MUKHERJEE COMMISSION OF INQUIRY

FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF

NETAJI SUBHAS CHANDRA BOSE.

'B' Block, (Third Floor)

11/A Mirza Ghalib Street, Kolkata-700087

Phone:

Chairman - 2252-2836
Secretary - 2252-2767
Officer on
Special Duty - 2252-2765
Office - 2252-2766/68

Fax : 033-2252-2765

e-mail : jmcinscb@cal3.vsnl.net.in

No. JMCI/MEETING-PROCEEDINGS (FOLLOW UP)/99-2000/48(V)/43(4)

May 25, 2004.

From : **Shri M. Roy, IAS (Retd.)**
Officer on Special Duty

1. The Secretary,
Ministry of Home Affairs,
Government of India, North Block, New Delhi-110001.
2. The Secretary,
Ministry of External Affairs,
Government of India, South Block, New Delhi-110001.
3. The Secretary,
Cabinet Secretariat, Government of India,
Rashtrapati Bhavan, New Delhi-110004.
4. The Director,
Intelligence Bureau, Government of India,
Ministry of Home Affairs, North Block, New Delhi-110001.

Sir,

I am directed to send herewith copies of the Commission's Status Report as on 13.04.2004 and its proceedings dated April 16, 2004 for favour of taking necessary action at your end (in respect of such of the matters as may be applicable to your Ministry/Department/Office).

Yours faithfully,

(M. Roy)

Officer on Special Duty

Encl : As stated above

Not for FIV
22/7

Not for
For Public Section
22/7

Not for
Industrial Cell
26/7

728-4
Status Report as on 13.04.2004 (forenoon) showing action taken on / compliance with orders/directions of the Commission including those contained in its various proceedings.

- Pu Rf
1. Xerox copies of the Commission's Status Report as on 29.01.2004 and of its proceedings dated February 5, 2004 have been forwarded to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs, Prime Minister's Office, Cabinet Secretariat, Ministry of Defence (History Division), Ministry of Information and Broadcasting, as also to the Director, Intelligence Bureau, Government of India, for their information and favour of taking necessary action at their end in respect of such of the matters in the Status Report as may be applicable to them.
 - Pu Rf
2. A notice has been sent to each of the deponents and other parties concerned regarding the next hearing of the Commission scheduled to be held on 16th April, 2004 at 11.00 a.m. at the Seminar Hall, Annexe Building, Mahajati Sadan, 166, Chittaranjan Avenue, Kolkata 700007 and six witnesses have been summoned for their examination/further examination during the said hearing.
 - MEA
3. Response from the Ministry of External Affairs in respect of a copy of the official paper bearing No. 5190, which is an extract from a note of discussion between Lord Wavell, the Secretary of State, and R. Arthur Henderson held on 27th August, as collected from the U.K. in course of the visit of the Commission to London, sent to the Joint Secretary (CNV), Ministry of External Affairs, Government of India, (vide the Commission's letter No.JMCI/DOC(FOR)/99-2000/56(V)/375 dated December 26, 2003) is still awaited.
 - MEA
4. By Commission's letter No.JMCI/DOC(FOR)/99-2000/56(V)/331 dated November 12, 2003, the attention of the Joint Secretary (CNV) has been drawn to the d.o. letter No.25/4/NGO/Vol.X dated 13.10.2003 of the Director (CNV), Ministry of External Affairs, Government of India, and he has been requested to kindly let the Commission know immediately the present position of the other pending matters mentioned in the d.o. letter No.25/4/NGO-Vol.IX dated 27.06.2003 of the Ministry as also to send a complete list of all the archives of the Russian Federation. In d.o. letter No.25/4/NGO/Vol.X dated December 12, 2003 of the Director (CNV), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission it has been stated that no information on Netaji Subhas Chandra Bose is available with the Tajik, Central State Archive. Further report as called for is still awaited.
 - MEA
5. In Commission's letter No.JMCI/EO/2002-2003/83(III)/517 dated March 25, 2004 addressed to Shri Vijay Gokhale, Joint Secretary (CNV), Ministry of External Affairs, Government of India, his attention has been drawn to the Commission's letter No.JMCI/EO/2002-2003/83(III)/245 dated September 5, 2003 and its letter No. JMCI/EO/2002-2003/83(III)/238 dated September 3, 2003 as also to the correspondence made by the Commission with the Directors, the Centre for DNA Finger Printing and Diagnostics, Hyderabad, the Centre for Cellular and Molecular Biology, Hyderabad, and the Central Forensic Science Laboratory, Kolkata. Copies of the aforesaid letters/correspondences have been furnished with the said letter of the Commission dated March 25, 2004 wherein

It has also been stated that in view of the possible ramifications of taking out the ashes from Renkoji Temple for preliminary examination and anthropological evaluation for DNA tests which, the Commission feels, can suitably be tackled only by the Government of India as also in view of the facts and circumstances stated in the said letter dated March 25, 2004, the Hon'ble Chairman of the Commission desires to meet the Hon'ble Minister of External Affairs, Government of India, for discussions to sort out the problems of DNA tests and Shri Gokhale has accordingly been requested therein to kindly arrange a meeting of the Hon'ble Chairman with the Hon'ble Minister of External Affairs, Government of India, as early as possible preferably in the first week of April, 2004. The response from the Ministry of External Affairs, Government of India, is awaited.

MBA

JMC has been made available a copy of diary as requested. No further action is called for.

6. In Commission's d.o. letter No.JMCI/DOC(FOR)/99-2000/56(V)/518 dated March 25, 2004 addressed to Shri Rakesh, Joint Secretary (IS), Ministry of Home Affairs, Government of India, he has been requested to kindly make available to the Commission as early as possible a copy of the diary of Lord Mountbatten, if necessary by collecting the same through the Indian High Commission in London as the said diary is urgently required to be perused by the Commission in view of the facts and circumstances stated in the said d.o. letter.

7. Respective positions stated in paras 4, 6, 8(c), 13 and 15 of the status report as on 29.01.2004 remain unchanged.

8. The report of the third handwriting expert to whom the specimen handwritings of Netaji Subhas Chandra Bose and the first bunch of the documents containing a number of questioned handwriting allegedly of 'Gumnami Baba', Faizabad, have been made over on August 28, 2003 for necessary comparison of those two sets of handwritings, is yet to be received. Two documents bearing handwritings and signatures of Netaji Subhas Chandra Bose, which are said to be lying in the State Archives of the Government of West Bengal, have been called for from the Home Department of the Government of West Bengal to facilitate comparison of the alleged handwritings of 'Gumnami Baba' with the original handwritings of Netaji by the Handwriting Expert. Till now neither any reply nor the documents have been received.

For Inf.

9. Further to the position stated in para 8(a) of the Status Report as on 29.01.04 it is pointed out that in d.o. letter No.25/4/NGO-Vol.XI dated February 16, 2004 of the Director (CNV), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission it has been stated, inter alia, that reminders have been sent to all the Russian witnesses, as requested by the Commission; that Dr. Rybakov has been asked to convey his willingness and convenience for appearing as a witness before the Commission; that no material on the fate of Netaji Subhas Chandra Bose was found in the Central Archives of the Russian FSB (i.e. erstwhile KGB); that the Indian Embassy in Moscow is ascertaining the whereabouts of Mr. Pechenko and is continuing its efforts to locate Mr. V.N. Plastun, Mr. A.A. Kolesnikov and Mr. E.M. Morosov, while a reminder is being sent to Mr. Komorov; that Academician Bondarovsky, one of the listed witnesses, expired last year, and that the Ministry of External Affairs,

For Inf.

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Government of India would apprise the Commission "of further progress in the matter on receipt of inputs" from the said Indian Mission.

10. By Commission's letter No.JMCI/Overseas/Witnesses/2000-01/70(II)/446 dated February 18, 2004 addressed to the Director (IS), Ministry of Home Affairs, Government of India, the receipt of the two responses to the notice published in Bangkok and Saigon (Vietnam) through the Ministry of External Affairs, Government of India, were acknowledged and the Ministry of Home Affairs was requested to let the Commission know about other responses to the said notice, if any, received subsequently. A copy of the said letter dated February 18, 2004 was endorsed to the Director (CNV), Ministry of External Affairs, Government of India, for information and necessary action. Their further response is awaited.

11. By Commission's letter No.JMCI/Overseas/2002-03/70(II)/432 dated February 5, 2004 Mr. Joseph C. Pereira, who reportedly furnished some information to the Indian Consulate in Ho-Chi-Minh City in response to the publication of the notice of the Commission, was requested (on the basis of the aforesaid information) to kindly send to the Commission a copy of the book, titled, "Kojaka Rebels" published by a Singaporean Publisher as also to furnish the Commission with the address of the son and the daughter of Mr. Gerald De Cruz, so that the Commission may officially approach them to elicit relevant information from them. The response from Pereira is awaited.

12. The particulars of eminent DNA experts available in Japan have not been received by the Commission from the CFSL, Kolkata.

13. The Secretary, Ministry of External Affairs, Government of India, has been requested in the letter dated December 26, 2003 of the Commission to kindly take all possible steps to ensure early transmission of all the five documents mentioned at para 2(ii), 2(iii), 2(iv), 2(v) and 2(vi) of the letter No. 281/12/I/2000-PS dated November 13, 2003 of the Cabinet Secretariat. A reminder has been sent to the said Secretary on February 9, 2004 requesting him to kindly give the matter his anxious thought and take appropriate action to ensure transmission of the documents in question to the Commission with utmost despatch. Further development in the matter is still awaited.

14. Commission's Notice to the public has been published on March 19, 2004 in The China Post, a leading English daily of Taiwan, to explore the possibility of getting available evidence in Taiwan. In response to the notice, a letter by e-mail has been received from one NRI Indian based in Taiwan. Further response is awaited.

15. One set of three documents relating to Netaji Subhas Chandra Bose received by the Ministry of External Affairs, Government of India, from the Japanese Ministry of Foreign Affairs, has been forwarded to the Commission with d.o. letter No.25/4/NGO-Vol.IX dated February 20, 2004 of the Director (CNV), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission. Those documents have since been perused and kept on record.

- 16 Further to the position stated in para 7 of the Status Report as on 29.01.04, it need be mentioned that d.o. letter No.25/4/NGO/Vol.XI dated March 15, 2004 of the Joint Secretary (CNV), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission has been received by the Commission on 31.03.04, which speaks of the outcome of the efforts made by India-Taipei Association (ITA), a Non-Governmental Office in Taipei, at the request of the Ministry of External Affairs, Government of India, for assistance, inter alia, in obtaining the requisite documents concerning the alleged air crash at Taihoku on August 18, 1945. The said d.o. letter further states, inter alia, : "The India-Taipei Association (ITA) has identified the following constraints and difficulties in pursuing investigations in Taiwan in the context of the specific requirements spelt out by the JMCI :-

- "Visit to the operational domestic airport in Taipei is feasible only after obtaining necessary permissions from the local government agencies.
- The Military Hospital does not exist any more, nor is anyone aware of where it existed.
- The Municipal Crematorium in Taipei where the body of Netaji was allegedly cremated does not exist anymore.
- Taiwan's National Archives does not have any record of the crash of the military aircraft, which allegedly carried Netaji aboard it.
- The ITA's attempts to locate related records, documents and material information, from Taiwan's National Archives, National Central Library, Department of Health, Ministry of National Defence, Ministry of Foreign Affairs, Taipei Municipal authorities and the Airport authorities, have proved to be unsuccessful so far.
- There is no information as to whether the site of the alleged plane crash, the site of the Japanese Military Field Hospital, etc. still remain. It is highly improbable that these sites would remain, given the rapid economic development witnessed in Taiwan during the past fifty years"

and on the basis thereof, the Joint Secretary has observed as follows :

"The above inputs notwithstanding, if the Commission were to decide in favour of a visit to Taiwan, the ITA would be requested to extend all possible assistance to any visiting JMCI team. We trust that the Commission would appreciate the sensitivities involved and would avoid public mention of the assistance being sought from the ITA. The India-Taipei Association (ITA) is a non-governmental office in Taipei and if there are to be any references to the ITA in JMCI's reports, it should be characterised as such. It may also be noted that as a non-governmental office, ITA will not be able to incur any expenditure on behalf of a visiting

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JMCI team, which will have to carry necessary funds to take care of likely expenses."

- 17) On being directed by the Commission, its Secretary had a discussion with Shri Rakesh, Joint Secretary (IS), Ministry of Home Affairs, Government of India, on April 2, 2004 regarding some important pending matters including the proposed visit of the Commission to Taiwan and in pursuance of the said discussion the d.o. letter No JMCI/Overseas-Witnesses/2000-01/70(III)/08 dated April 6, 2004 of the Secretary was sent by Speed Post to Shri Rakesh, Joint Secretary, Ministry of Home Affairs, Government of India, wherein the latter's attention was drawn to para 5 of the d.o. letter No 25/4/NGO-VOL VIII dated September 23, 2002 of the then Joint Secretary (CNV), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission which read as follows :

15. MHA may also kindly note that this Ministry would render assistance in making the logistics arrangements in Taipei but will not be in a position to make any payments on behalf of the Commission. Payment for all services in Taipei, including hotel accommodation, transportation and interpretation, will therefore need to be made directly by the Commission itself."

Shri Rakesh was requested in the said d.o. letter dated April 6, 2004 to spell out the nature and extent of the logistics arrangements mentioned in the aforesaid para 5 as also to clarify whether the logistics arrangements promised to be made with the assistance of the Ministry of External Affairs include reservation of hotel accommodation, arrangements for transport, interpretation, photography, etc. in Taipei, subject, of course, to the condition that payment should be made directly by the Commission and whether or not sanction of the Ministry of Home Affairs, Government of India, is required for making the said payment by the Commission. It was also stated therein : "if expenditure cannot be incurred specifically on account of visit to Taiwan then it would be well-nigh impossible for the Commission to undertake visit to Taiwan." No reply to the queries raised in the said d.o. letter dated April 6, 2004 has yet been received.

- 18) The extension of the term of the Commission for a further period of one year w.e.f. 15.05.2004 as sought for in Commission's registered letter No. JMCI/Admn/99-2000/32(II)/443 dated February 17, 2004 addressed to the Joint Secretary (IS), Ministry of Home Affairs, Government of India, is awaited.

The Commission has been requested to furnish a final programme regarding Taiwan visit - with notification in the light of the MHA's letter to that effect. But no reply has been received from JMCI. 6/4/04

Acting

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JUSTICE MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated 16.04.2004 (27th) held at the Seminar Hall, Annexe Building, Mahajati Sadan, 166, Chittaranjan Avenue, Kolkata-700007.

April 16, 2004

Of the six witnesses summoned today, three witnesses viz. Shri Viswajit Dutta, Smt. Jayanti Bhattacharya and Shri Rishi Ranjan Chakraborty are present.

Of the three witnesses, Shri Pabitra Kumar Ghosh and Shri Sugata Bose have prayed for adjournment by filing petitions beforehand. Shri Ghosh has, as on the earlier occasions, prayed for adjournment on the ground of his illness and Shri Sugata Bose, as usual, has prayed for adjournment on the ground that he is not available on the date of hearing due to his prior commitments. The other witness, Shri Swadhin Sanyal is absent without any intimation.

Shri Viswajit Dutta, Smt. Jayanti Bhattacharya and Shri Rishi Ranjan Chakraborty have been examined as CWs 113, 114 and 115 respectively.

Shri Viswajit Dutta (CW 113) has testified that "Shri Abhijit", the author of the book " জাতির চরিত্র " is his pseudonym. Two volumes of that book have been marked Exhibits 205 and 206 respectively.

Smt. Jayanti Bhattacharya (CW 114) has testified that the contents of the affidavit dated 9/12/2003 filed by his elder brother Shri Swadhin Sanyal before the Commission are correct. She has identified the signature of Shri Swadhin Sanyal on the affidavit. The affidavit and the signature of Shri Swadhin Sanyal have been marked Exhibits 207 and 207/1 respectively.

Shri Rishi Ranjan Chakraborty (CW 115) has testified that the statement made in the affidavit-dated 7/3/2000 filed by him before the Commission is correct and he has identified his signature thereon. The affidavit and his signature have been marked Exhibits 208 and 208/1 respectively. The book titled "India In Crisis" authored by him has been marked Exhibit 209. Copy of the Second Jawaharlal Nehru Memorial Lecture 1968 has been marked Exhibit 210.

STATUS REPORT

The parties have been heard in respect of the status report as on 13/4/2004 (forenoon).

Referring to paragraph 16 of the status report, Shri Nanda Lal Chakraborty (JMCI 11/2000) and Dr. Madhusudan Pal (JMCI 14/2000) have submitted that it is absolutely shocking that the Government of India, specially the Ministry of Home Affairs is trying to scuttle the process of inquiry by not allowing the Commission to visit the alleged place of accident in Taihoku.

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इति - authorized by Shri Nirmalya Mukherjee and submitted that the said wrong news item should be refuted by the Commission and Shri Nirmalya Mukherjee should be summoned to appear before the Commission for his examination relating to that article. Shri Bhattacharya has been told that steps in this regard have already been taken by referring the matter to the Press Council of India.

The parties present have also been told that the Commission has prepared a list of documents referred to by the deponents and the documents which were received from the Government of India and other sources and that a list of books referred to by the deponents and the books which are in possession of the Commission has also been prepared. Lastly they have been told that interested deponents may come to the Commission office and inspect those lists.

(M. K. Mukherjee)
Chairman

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JUSTICE MUKHERJEE COMMISSION OF INQUIRY

FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF

NETAJI SUBHAS CHANDRA BOSE.

'B' Block, (Third Floor)

11/A Mirza Ghalib Street, Kolkata-700087

Phone:

Chairman - 2252-2835

Secretary - 2252-2167

Officer on

Special Duty - 2252-2765

Office - 2252-2766/68

Fax : 033-2252-2765

e-mail : jmcinscb@cal3.vsnl.net.in

No. JMCI/STAT.REPT./99-2000/33A (II)/97(4)

July 05, 2004

From : Shri M. Roy, IAS (Retd.)
Officer on Special Duty

- To :
1. The Secretary,
Ministry of Home Affairs,
Government of India, North Block, New Delhi-110001.
 2. The Secretary,
Ministry of External Affairs,
Government of India, South Block, New Delhi-110001.
 3. The Secretary,
Cabinet Secretariat, Government of India,
Rashtrapati Bhavan, New Delhi-110004.
 4. The Director,
Intelligence Bureau, Government of India,
Ministry of Home Affairs, North Block, New Delhi-110001.

Subject : Status Report from 01.06. 2004 to 30.06.2004.

Ref : Your Office letter No.I/12014/I/2000-IS(D.III) dated 07.02.2000.

Sir,

I am directed to forward herewith a 'Status Report' of the Secretary of Justice Mukherjee Commission of Inquiry, for favour of taking necessary action at your end (in respect of such of the matters in the Status Report as may be applicable to your Ministry / Department / Office).

Yours faithfully,

(Signature)

(M. Roy)

Officer on Special Duty

Encl : As stated above

NCB-I

For NCB-II pl.

(Signature)
26.7.04

NCB-II

May like to see at date stage.

(Signature)
JS(S)

(Signature)
02/8

(Signature)
30/7.

(Signature)
M. N.

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Justice Mukherjee Commission of Inquiry
For Inquiry Into the Alleged Disappearance of
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata-700087

STATUS REPORT
(From 01.06.2004 to 30.06.2004)

1. This Status Report is in continuation of the Status Report for the period from 01.05.2004 to 31.05.2004 forwarded earlier by the Commission to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs, Cabinet Secretariat, as also to the Director, Intelligence Bureau, Government of India, for favour of taking necessary action at their ends (in respect of such of the matters in the Status Report as may be applicable to them).
For Def
2. The hearing of the Commission was held on 23.06.2004 at 11.00 a.m. at the Seminar Hall in the Annexe Building, Mahajati Sadan, 166, Chittaranjan Avenue, Kolkata-700007. Of the five witnesses summoned, four witnesses were present and examined / further examined during the hearing.
For Def
3. Response from the Ministry of External Affairs in respect of a copy of the official paper bearing No. 5190, which is an extract from a note of discussion between Lord Wavell, the Secretary of State, and R. Arthur Henderson held on 27th August (year not mentioned), as collected from the U.K. in course of the visit of the Commission to London, sent to the Joint Secretary (CNV), Ministry of External Affairs, Government of India, (vide the Commission's letter No. JMCI/DOC(FOR)/99-2000/56(V)/375 dated December 26, 2003) is still awaited.
MSA
4. (a) The Hon'ble Chairman met the Hon'ble Home Minister on 25.06.2004 in the forenoon in New Delhi and drew his attention to some long pending important matters relating to his Ministry.
MSA For Def

(b) The Hon'ble Chairman also met on 25.06.2004 in the afternoon the Hon'ble Minister of Foreign Affairs and drew his attention to some long pending important matters relating to his Ministry.

(c) Apropos the discussion the Hon'ble Chairman of the Commission had with the Hon'ble Minister of External Affairs, Government of India, on 25.06.2004, the Secretary of the Commission has written a d.o. letter No. JMCI/EO/2002-2003/83(III)/93 dated June 28, 2004 to the Director (CNV), Ministry of External Affairs, Government of India, wherein the Ministry of External Affairs has been requested to kindly take necessary action to resolve the following pending issues to enable the Commission to complete its inquiry without any avoidable delay :-

(i) Visit of the Commission to Russia for examination of the relevant witnesses in the Russian Federation : The names and addresses of five Russian witnesses which are available to the Commission have been indicated in the said letter dated 28.06.2004. It is also stated therein that the archives of the F.S.B., previously known as K.G.B. and other official archives in Moscow, Poddolsk, Omsk and Irkutsk are likely to contain relevant documents, according to some of the deponents before the Commission as also the documents in the possession to the Commission.

(ii) The DNA tests of the alleged ashes of Netaji Subhas Chandra Bose kept in Renkoji Temple, Japan : The attention of the Director (CNV), Ministry of External Affairs, Government of India, has been drawn to his d.o. letter No. 25/4/NGO-XI dated 31.05.2004 and the Secretary's d.o. letter No. JMCI/EO/2002-2003/83(III)/86 dated 17.06.2004 and the said Director has been requested to inform the Commission whether the Chief Priest of the Renkoji Temple has been formally requested to make available the said alleged ashes to the experts who may be appointed by the

Commission for the required scientific tests of the same and if so, whether any reply has been received to such request.

(iii) Commission's proposed visit to Taiwan : The attention of the Director (CNV) has been drawn to the Secretary's d.o. letter No. JMCI/Taiwan/2003-2004/89/83 dated 15.06.2004 and he has been requested to kindly communicate the information sought for therein to enable the Commission to furnish the Ministry of Home Affairs, Government of India, with the probable expenses of the Commission in Taiwan. A copy of the d.o. letter has been endorsed to the Director (S), Ministry of Home Affairs, Government of India.

(iv) The attention of the Director (CNV) has also been drawn to Commission's letter No. JMCI/Overseas/Witnesses/2002-2003/70(II)/188 dated 05.08.2003 addressed to the Joint Secretary, (CNV), wherein the latter was requested to send particulars of some suitable willing Indian scholars/students of Post Graduate class available in the USA indicating/suggesting the rate of remuneration, if any, acceptable to them unless they would agree to do the job of archival research at various American repositories of relevant historical documents relating to Netaji Subhas Chandra Bose, free of remuneration for academic interest or for the love and respect for Netaji.

5. In Commission's d.o. letter No. JMCI/DOC(FOR)/99-2000/56(V)/518 dated March 25, 2004 addressed to Shri Rakesh, Joint Secretary (IS), Ministry of Home Affairs, Government of India, he has been requested to kindly make available to the Commission as early as possible a copy of the diary of Lord Mountbatten, if necessary by collecting the same through the Indian High Commission in London, as the said diary is urgently required to be perused by the Commission in view of the facts and circumstances stated in the said d.o. letter. The diary called for is yet to be received.

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6. No reply has yet been received from Prof. Saitou, Department of Genetics, National Institute of Genetics, University of Tokyo, Japan to Commission's d.o. letter No. JMCI/EO/2002-2003/83(III)/46 dated March 26, 2004 as mentioned in para 5 of the Status Report for May, 2004.

7. Further to the position stated in para 6 of the Status Report for May, 2004 it is pointed out that File No. I/12014/27/93-IS (D.III) – 2 files have been received by the Commission through an authorized special messenger.

8. The report of the Indian Consulate of St. Petersburg [as intended to be sent later to the Commission in para 4 of the d.o. letter No.24/4/NGO-Vol.IX(II) dated June 11, 2003 of the Joint Secretary (CNV), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission] is yet to be received by the Commission in spite of several reminders to the said Ministry.

9. Copies of the (1) Proclamation and (2) Instrument of surrender as called for by Commission's letter No. JMCI/Overseas/Witnesses/2002-03/70(II)/288 dated 16.10.2003 addressed to the Joint Secretary, (CNV), Ministry of External Affairs, Government of India, as mentioned in para 11 of the Status Report for May, 2004 have been received and are being examined.

10. The sealed reports of DNA tests of the teeth found in the alleged belongings of 'Gumnami Baba', Faizabad received by the Commission from the Central DNA Fingerprinting and Diagonistics, Hyderabad and from The Central Forensic Science Laboratory, Kolkata, as also the sealed reports of the three handwriting experts were opened by the Hon'ble Chairman during the hearing of the Commission on June 23, 2004.

11. There has been no further development in the matters stated in paras 14, 16, and 17 of the Status Report for May, 2004.

12. Further to the position stated in para 18 of the Status Report for March, 2004 read with para 19 of the Status Report for April, 2004, it is pointed out that copies of some documents referred to in the aforesaid paras received by the Commission from the Ministry of Home Affairs, Government of India on 16.04.2004, have been examined and kept on record.

13. With reference to the position stated in para 9 of the Status Report as on 13.04.2004, it is pointed out that the reply received by the Commission from the Joint Secretary (CNV), Ministry of External Affairs, Government of India, on April 12, 2004 given in her d.o. letter dated March 29, 2004 states inter alia, that out of the witnesses listed by the Commission, Prof. Y.V. Pechenko and Academician Bondarovsky have already expired; that Dr. Rybakov has sent a copy of his earlier letter to the Indian Mission on being requested by the latter to convey his willingness and convenience for appearing as a witness before the Commission; that Mr. V.N. Plastun, Mr. A.A. Kolesnikov, and Mr. P.M. Morosov are yet to be located by the Indian Mission and that reminders have again been sent by the latter to Mr. A.A. Kirichenko, Mr. U.L. Kuznets, Prof. A.P. Gnachuk-Danielchuk, Dr. A.A. Kutsenkov and Prof. E.N. Komorov. Subsequent development in the matter is still awaited.

14. With reference to the position stated in para 20 of the Status Report for May, 2004 it is pointed out that the retention order of the sanctioned posts of the Commission has since been received.



(P. K. Sengupta)
Secretary

भारत सरकार सेवार्थ REGISTERED WITH L.D.
ON INDIA GOVERNMENT SERVICE

No. JMCI/Stat.Rept./99-2000/33A(II)/97(4) dt. 05.07.2004.



Justice Mukherjee Commission of
Inquiry for Inquiry into the
alleged disappearance of
Netaji Subhas Chandra Bose
11A, Muza G. Street, 3rd Floor
Block B, Calcutta— 700087

To

The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

RL 3504
H H 04



Justice Mukherjee Commission of Inquiry
for Inquiry into the Alleged Disappearance of
NETAJI SUBHAS CHANDRA BOSE
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata-700087

STATUS REPORT
(From 01.06.2003 to 30.06.2003)

1. This Status Report is in continuation of the Status Report for the period from 01.05.2003 to 31.05.2003 forwarded under Commission's registered letter No.JMCI/Stat.Rept./99-2000/33A(II)/93(7) dated June 4, 2003 to the Secretaries, Ministry of Home Affairs, Ministry of Defence (History Division), Ministry of Information and Broadcasting, Prime Minister's Office, Ministry of External Affairs, Cabinet Secretariat, as also to the Director, Intelligence Bureau, Government of India, for favour of taking necessary action at their end.
2. (a) There has been no further development in the matters as stated in paras 3 and 15 of the Status Report for the period from 01.02.2003 to 28.02.2003.
- (b) There has been no further development also in the matters as stated in paras 11(a),(b),(c), and (d) of the Status Report for the period from 01.05.2003 to 31.05.2003.
3. The clarifications sought for from the Ministry of Home Affairs, Government of India, in Commission's letter No.JMCI/Records/ND/99-2000/37(IV)/39 dated April 28, 2003 in respect of Serial Nos. (ii),(iii),(iv),(v) and (vi) of para 2 of letter No.281/12/1/2000-IS dated 13.11.2002 of the Cabinet Secretariat are yet to be received.
4. The Commission in its letter No.JMCI/EO/2002-2003/83/14 dated 10.04.2003 has indicated all the correspondence made by it and the replies / responses thereto received by it regarding feasibility of D.N.A. test on the alleged mortal remains of Netaji Subhas Chandra Bose kept in the Renkoji temple. It has also been stated in the said letter dated 10.04.2003 : "Only positive reply in the matter has been received from Mr. Terry Milton..... but there is a precondition stipulated by him This is 'anthropological evaluation of remains, including photography'. He

Active

Under examination

It has to be explained

Decision will be taken dispassionately

has categorically written, 'we would like to receive the anthropologist's report prior to proceeding'.....".

As the Commission is now in a fix as to how anthropological evaluation and other necessary scientific tests of the alleged mortal remains kept in the Renkoji temple in Japan should be done for ascertaining the feasibility of D.N.A. test on that mortal remains, it has written to the Ministry of Home Affairs with the request 'to take necessary action as early as possible to enable the Commission to get necessary anthropological evaluation and other necessary tests done for taking the next step for D.N.A. test on the alleged mortal remains'. A copy of the said letter dated 10.04.2003 along with its enclosures was forwarded for information and necessary action to the Joint Secretary (CNV), Ministry of External Affairs, Government of India..

The response of the Government of India is still being anxiously awaited.

5. A xerox copy of the letter dated 10.02.2003 of Shri Sunil Krishna Gupta and four others and xerox copies of the enclosures thereto, which is a list of documents exhibited by the witnesses before Justice Khosla Commission, have been sent to the Secretary, Ministry of Home Affairs, Government of India, under Commission's registered letter No.JMCI/11/2000/542 dated February 17, 2003 with the request to kindly furnish to the Commission immediately the original or authenticated true copies of all the documents mentioned in the said letter dated 10.02.2003 and its enclosures. In d.o. letter No.25/4/NGO-Vol.IX dated March 28, 2003 of Joint Secretary, CNV, Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission, it has been stated, inter alia, that copies/originals of all the documents related to Justice Khosla Commission would be available only with the Ministry of Home Affairs and that the letter dated 1st November, 1951 of Shri Subimal Dutta, the then Secretary, Ministry of External Affairs, addressed to Shri A. M. Sahay, and the letter dated 17th January, 1952 of Shri A. M. Sahay to Shri Subimal Dutta were sent in original by the Ministry of External Affairs to the Ministry of Home Affairs. Accordingly, the Secretary, Ministry of Home Affairs has been requested by Commission's registered letter No.JMCI/11/2000/15 dated 11.04.2003 to kindly send immediately the original or authenticated true copies of

The Commission has already been informed through affidavit that no documents relating to proceeding of Khosla Commission is available. However, the Commission has been apprised that factual possibility relating to 315 files available and has already been checked by the S.N. Singh.

I shall send copy in response to this letter.

all the documents as called for by Commission's letter No.JMCI/11/2000/542 dated February 17, 2003,a copy of which appears to have been sent by the Ministry of Home Affairs to the Ministry of External Affairs earlier in response to which the Ministry of External Affairs wrote the aforesaid d.o. letter dated March 28, 2003 to the Secretary of the Commission. The response of the Ministry of Home Affairs in the matter is still awaited

6. By Commission's registered letter No.JMCI/Stat.Rept./Compliance/2003/87/67 dated May 22, 2003 the attention of the Secretary, Ministry of Home Affairs has been drawn to the Order of the Commission communicated to him by Commission's letters No. JMCI/Stat.Rept./99-2000/33A/453(6) dated 9/11th December, 2002 and No.JMCI/Stat.Rept./Compliance/2002/87/577 dated March 5, 2003 as also to the letter No. 1/12014/13/2000-IS(D.V) dated 28.04.2003 received from Mr. U.K.Kalra, Director (IS), Ministry of Home Affairs, Government of India, indicating, inter alia, the nature and extent of repeated non-compliance of the order and directions of the Commission and communicating the directions of the Commission to ensure that the reports asked for in the letters dated 9/11.12.2002 and 05.03.2003 of the Commission, reach the Commission as early as possible, but not later than 30th June, 2003. The reports called for has not yet been received.

7. The Secretary, Ministry of External Affairs has been requested by Commission's registered letter No.JMCI/CPDC/2002/432 dated November 27, 2002 to kindly persuade the Government of Japan to get from the Government of Taiwan the original register of Cremation Permits for the period from 18.08.1945 to 21.08.1945, the original application for Cremation Permit allegedly filed on 18.08.1945 in the name of Chandra Bose or Subhas Chandra Bose, the original application for Cremation Permit, if any, filed on 18.08.1945 or 19.08.1945 in the name of Ichiro Okura, the original death certificate allegedly issued in the name of Subhas Chandra Bose and the original death certificate, if any, in the name of Ichiro Okura, so that the Commission may have access to those documents. It has also been pointed out therein that from the materials before the Commission it seems that one death certificate in the name of Chandra Bose or Subhas Chandra Bose was

Requests
Affidavit has
been filed on 4/9/03
before the Comm.

MBA

issued on 18.08.1945, that from the certified copy of extract from the original document on Cremation Permit in the name of Ichiro Okura it appears further that the certified copy of extract of the original document was issued on July 14, 1956 and that the original document on cremation permit was in existence on July 14, 1956 i.e., long after the end of the Second World War. In the d.o. letter No.25/4/NGO-Vol.IX-I dated February 11, 2003 of the Joint Secretary, CNV, Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission it has been stated, inter alia : "we have asked our Embassy to seek the requisite clarifications and obtain the desired documents from the Government of Japan. The matter is under reference to the concerned authorities in Japan. We are waiting to hear from them on this issue. We shall revert as soon as a response is received from the Japanese authorities." From the d.o.ter No.25/4/NGO-Vol.IX(III) dated 11.06.2003 of the Ministry of External Affairs, Government of India, it appears that no positive response has yet been received by them from the Japanese Ministry of Foreign Affairs.

8. Report solicited by the Commission's registered letter No.JMCI/DOC(FOR)/99-2000/56(IV)/446 dated December 5, 2002 on the outcome of further inquiry pursuant to the communication dated May 8, 2001 of Shri Harish K. Jain, Consul, St. Petersburg addressed to the Embassy of India, Moscow, a copy of which was enclosed with the d.o. letter No.25/4/NGO-Vol.VIII dated October 31, 2002 of the Ministry of External Affairs, is yet to be received.
9. The outcome of the action taken by the Indian Embassy in Moscow regarding their checking with the witnesses indicated in the enclosure to the Commission's registered letter No. Overseas/Witnesses/2002-03/70 (Vol.II)/621 dated 01.04.2003 addressed to the Secretary, Ministry of External Affairs, Government of India, as mentioned in para 5 of the d.o. letter No.25/4/NGO-Vol. IX dated April 22, 2003 of the Ministry is still awaited.
10. The report of the second hand writing expert regarding verification of the hand/ writings allegedly of 'Gumnami Baba' of Faizabad ^{with the} admitted ~~of~~ specimen hand writings of Netaji Subhas Chandra Bose is ~~reported to be ready~~ which is going to be collected very soon.

MFA

MFA

For hq.
no action

11. The reports of the Director, Centre for DNA Fingerprinting and Diagnostics, Hyderabad regarding D.N.A. tests of the blood samples of two sons of the two elder brothers of Netaji and of one of the descendants belonging to the maternal lineage of Netaji as also of the teeth allegedly belonging to 'Gumnami Baba,' are yet to be received.
12. The evidences of two deponents available in Pune and one deponent available in Amrabati, Maharashtra, have been recorded by the Secretary of the Commission on its behalf during the last week of June, 2003,
13. Steps have been taken for holding the hearing of the Commission on 14.07.2003 and 15.07.2003 in the Annexe Building, Mahajati Sadan, Kolkata, when eight witnesses are expected to be examined and one witness is expected to be further re-examined.
14. Seventy six records/files, which are admitted by the Intelligence Bureau, Government of India, to be available with them, could not be perused by Shri P.N. Chakravarty, Senior Research Officer of the Commission when he visited the Intelligence Bureau, New Delhi, as per programme in the second half of February, 2003 with prior intimation to the Intelligence Bureau, Government of India. He was given to understand that the Micro-film system of the I.B. has become non-functional; that they are shifting their office to a new site and that it would take considerable time by the I.B. to make those records available for inspection on behalf of the Commission, after shifting of the records was completed and the Micro-film system was restored. The Deputy Central Intelligence Officer, Subsidiary Intelligence Bureau, Government of India, Kolkata, has verbally intimated that those records can be made available now by the I.B. for inspection on behalf of the Commission. Necessary steps have been taken accordingly.
15. The Ministry of External Affairs, Government of India, has been requested by Commission's letter No.JMCI/Overseas/Witnesses/2002-2003/70(II)/75 dated May 27, 2003 to kindly take up with American Embassy and Consulates in India so that the Commission may get access to the records regarding Subhas Chandra Bose alias Chandra Bose with them as admitted to be available in the letter dated March 13, 2003 of the Director, Textual Archive Services Division of the National Archives

for info
no action

for info

no action

I.B.

M.E.A.

and Records Administration, USA addressed to Shri S.K. Behra, Counsellor, Embassy of India (Chancery), a copy of which ^{has been} ~~was~~ sent to the Commission along with the d.o. letter No.25/4/NGO-Vol IX dated April 22, 2003 of the Joint Secretary(CNV), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission. Further development in the matter is awaited.

16. The Secretary, Ministry of External Affairs, and the Secretary, Ministry of Home Affairs, Government of India, have been requested by Commission's letters No.70(II)/72 and 70(II)/71, both dated May 27, 2003 respectively, to make endeavours to get the photographs of the scene of the plane crash as also the photographs taken at the hospital after the alleged death of Netaji and to send to the Commission the prints of those photographs along with the negatives thereof as early as possible since the enclosures of the aforesaid letters reveal that according to Habibur Rahman those photos were taken and were then lying in the possession of the Japanese War Office in Tokyo. ^{From} ~~From the~~ Memo No.I-12014/13/2000-NCB dated June 6, 2003 of the Ministry of Home Affairs, Government of India, a copy of which ^{has been} ~~was~~ endorsed to the Commission, it appears that the Prime Minister's Office, the Cabinet Secretariat, the Ministry of External Affairs, the Ministry of Defence (History Division), Government of India, and the National Archives of India, have been requested to make efforts to locate the said photographs, if any, available in those Ministries/Departments and ^{to communicate} ~~if~~ the result of the efforts is ~~to be~~ ~~communicated~~ to the Commission under intimation to the Ministry of Home Affairs. Further intimation in the matter is awaited.

17. By Commission's letter No.70/443 dated November 27, 2002, a copy of the letter dated November 1, 2002 of Shri Nandalal Chakravarty, one of the deponents of the Affidavit No.JMCI/11 has been sent to the Ministry of External Affairs, Government of India, in continuation of the Commission's letter No.56(IV)/398 dated November 11, 2002 with the request to take necessary action in the matter. In the said letter dated November 1, 2002 Shri Chakravarty has requested the Commission to visit the U.K., U.S.A., and Germany for reasons mentioned in his said letter. In response to the d.o. letter No.25/4/NGO-Vol.VIII dated December 3,

Circulate to all concerned Deptt./Min. Commission will do info in due course

MBH

2002 of the Ministry of External Affairs, Government of India, to the Secretary of the Commission, the Ministry of External Affairs ^{has been} ~~was~~ requested by way of clarification to kindly take appropriate action to help the Commission have access to the documents referred to in the said letter dated November 1, 2002 of Shri Chakravarty. A reminder ^{has been} ~~was~~ sent to the Ministry of External Affairs, vide Commission's letter No.70(II)/131 dated June 18, 2003. Further development in the matter is still awaited.

18. By Commission's letter No.37(IV)/87 dated May 30, 2003, the Ministry of Home Affairs, Government of India, has been requested to kindly furnish to the Commission immediately the files/documents mentioned in para 3(I),(iii),(v), & (viii) of the affidavit submitted in February, 2001 to the Commission by Ms. Sangita Gairola, the then Joint Secretary (IS-I), Ministry of Home Affairs, Government of India.

44- By Commission's letter No.37(IV)/39 dated April 28, 2003, the attention of the Director (IS-II), Ministry of Home Affairs, Government of India, was drawn to letter No.281/12/1/2000-IS dated 13.11.2002 from Shri Satrughna Singh, Director, Cabinet Secretariat, and ~~the~~ letter No.1/12014/13/IS(D V) dated 02.01.2003 of the Director (IS-II) Ministry of Home Affairs and the ~~letter~~ ^{Director (IS-II)} was requested to clarify the points mentioned in the said letter dated April 28, 2003 of the Commission. The response of the Ministry of Home Affairs in the matter is still being awaited.

(P. K. Sengupta)
Secretary

II 3(i) — P.No. 10/22/CP-68 — M/O Rmm —
contg Cal. decim reg. 15mm
of Commemorative stamps/coins
of Malaji

M/O Rmm

III 3(iii) — 6/5/9/22 — CF — Cal. decim dt. (17/9/22) —
(It should be available in one of the
files sent to Comm
by 1/12014/9/22 is still

17/11/77 — (Available)

IV 3(v) — P.No. 10/21/CP-68 —
contg C. decim dt. (6/3/20) —
29/48/69 — Pol. II. Not Rile not available

X File not available.

C.D. 24/8/71(V)
6/11/6/24 CF
6/12/74 Pol II

VI 3(viii) — F.No. 6/5/11/91 — CF contg CCPA
decim dt. (22/2/91) reg. arhes.
May be available in 1/12014/16/90. 15mm
file with Comm

10/1/91 (Available)

1/12014/27/93 on which privilege
was sought

We have to
examine

Ann IV